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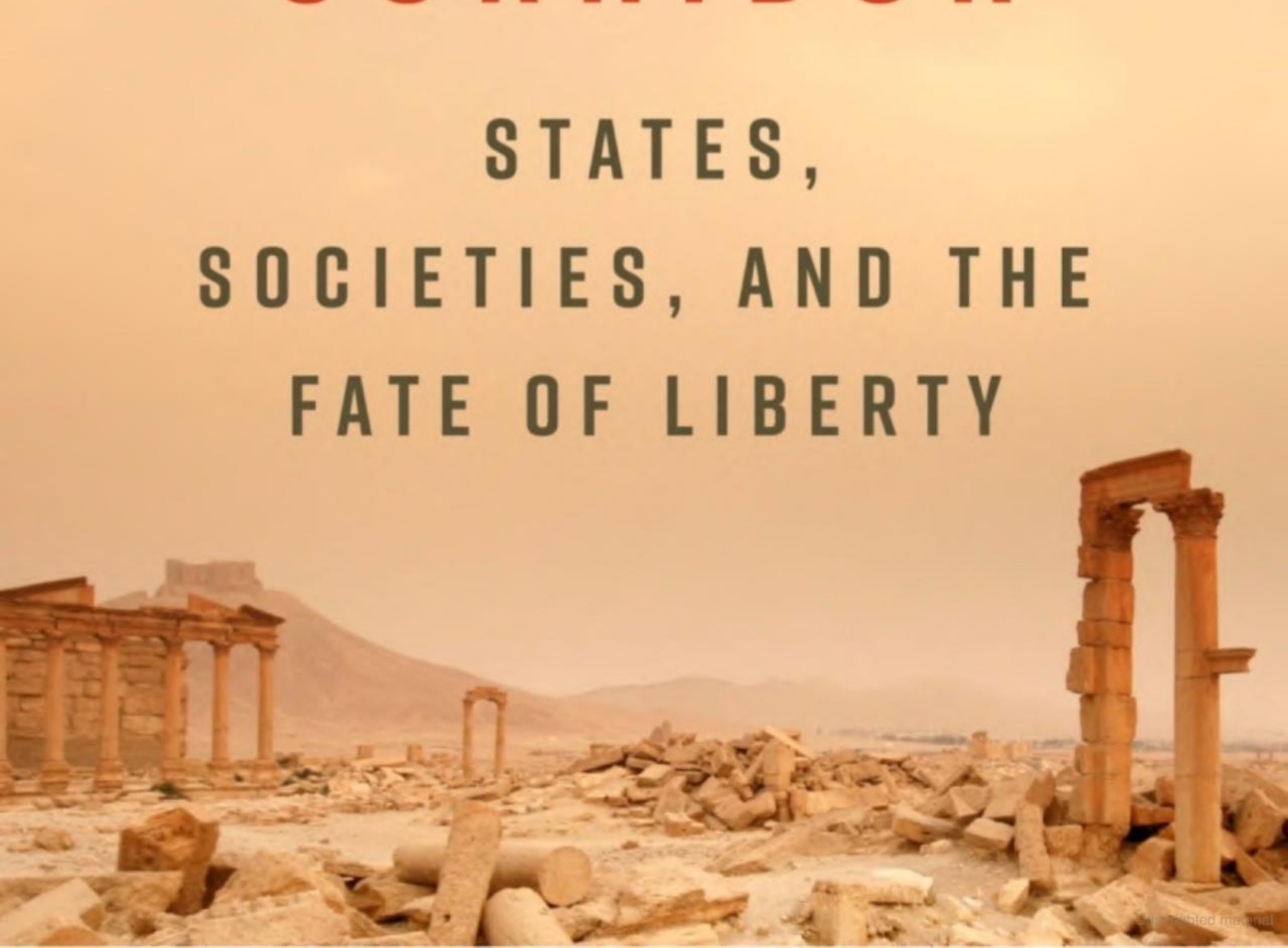
THE NARROW CORRIDOR

STATES, SOCIETIES, AND THE FATE OF LIBERTY



THE NARROW CORRIDOR

States, Societies, and the Fate of Liberty

DARON ACEMOGLU

AND JAMES A. ROBINSON

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PREFACE

Liberty

This book is about liberty, and how and why human societies have achieved or failed to achieve it. It is also about the consequences of this, especially for prosperity. Our definition follows the English philosopher John Locke, who argued that people have liberty when they have

> perfect freedom to order their actions and dispose of their possessions and persons, as they think fit . . . without asking leave, or depending upon the will of any other man.

Liberty in this sense is a basic aspiration of all human beings. Locke emphasized that

> no one ought to harm another in his life, health, liberty, or possessions.

Yet it is clear that liberty has been rare in history and is rare today. Every year millions of people in the Middle East, Africa, Asia, and Central America flee their homes and risk life and limb in the process, not because they are seeking higher incomes or greater material comfort, but because they are trying to protect themselves and their families from violence and fear.

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Philosophers have proposed many definitions of liberty. But at the most fundamental level, as Locke recognized, liberty must start with people being free from violence, intimidation, and other demeaning acts. People must be able to make free choices about their lives and have the means to carry them out without the menace of unreasonable punishment or draconian social sanctions.

All the Evil in the World

In January 2011 in the Hareeqa market in the old city of Damascus, Syria, a spontaneous protest took place against the despotic regime of Bashar al-Assad. Soon afterward in the southern city of Daraa some children wrote "The people want the fall of the government" on a wall. They were arrested and tortured. A crowd gathered to demand their release, and two people were killed by the police. A mass demonstration erupted that soon spread throughout the country. A lot of the people, it turned out, did want the government to fall. A civil war soon broke out. The state, its military, and its security forces duly disappeared from much of the country. But instead of liberty, Syrians ended up with civil war and uncontrolled violence.

Adam, a media organizer in Latakia, reflected on what happened next:

> We thought we'd get a present, and what we got was all the evil in the world.

Husayn, a playwright from Aleppo, summed it up:

> We never expected that these dark groups would come into Syria—the ones that have taken over the game now.

Foremost among these "dark groups" was the so-called Islamic State, or what was then known as ISIS, which aimed to create a new "Islamic caliphate." In 2014, ISIS took control of the major Syrian city of Raqqa. On the other side of the border in Iraq, they captured the cities of Fallujah, Ramadi, and the historic city of Mosul with its 1.5 million inhabitants. ISIS and many other armed groups filled the stateless void left by the collapse of the Syrian and Iraqi governments with unimaginable cruelty. Beatings, beheadings, and mutilations became commonplace. Abu Firas, a fighter with the Free Syrian Army, described the "new normal" in Syria:

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> It's been so long since I heard that someone died from natural causes. In the beginning, one or two people would get killed. Then twenty. Then fifty. Then it became normal. If we lost fifty people, we thought, "Thank God, it's only fifty!" I can't sleep without the sound of bombs or bullets. It's like something is missing.

Amin, a physical therapist from Aleppo, remembered:

> One of the other guys called his girlfriend and said "Sweetheart, I'm out of minutes on my phone. I'll call you back on Amin's phone." After a while she called asking about him, and I told her he'd been killed. She cried and my friends said, "Why did you tell her that?" I said, "Because that's what happened. It's normal. He died." . . . I'd open my phone and look at my contacts and only one or two were still alive. They told us, "If someone dies, don't delete his number. Just change his name to Martyr." . . . So I'd open my contact list and it was all Martyr, Martyr, Martyr.

The collapse of the Syrian state created a humanitarian disaster of enormous proportions. Out of a population of about 18 million before the war, as many as 500,000 Syrians are estimated to have lost their lives. Over 6 million have been internally displaced and 5 million have fled the country and are currently living as refugees.

The Gilgamesh Problem

The calamity unleashed by the collapse of the Syrian state is not surprising. Philosophers and social scientists have long maintained that you need a state to resolve conflicts, enforce laws, and contain violence. As Locke puts it:

> Where there is no law there is no freedom.

Yet Syrians had started protesting to gain some freedoms from Assad's autocratic regime. As Adam ruefully recalled:

> Ironically, we went out in demonstrations to eradicate corruption and criminal behavior and evil and hurting people. And we've ended up with results that hurt many more people.

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Syrians like Adam were grappling with a problem so endemic to human society that it is a theme of one of the oldest surviving pieces of written text, the 4,200-year-old Sumerian tablets that record the Epic of Gilgamesh. Gilgamesh was the king of Uruk, perhaps the world's first city, situated on a now dried-up channel of the Euphrates River in the south of modern-day Iraq. The epic tells us that Gilgamesh created a remarkable city, flourishing with commerce and public services for its inhabitants:

> See how its ramparts gleam like copper in the sun. Climb the stone staircase . . . walk on the wall of Uruk, follow its course around the city, inspect its mighty foundations, examine its brickwork, how masterfully it is built, observe the land it encloses . . . the glorious palaces and temples, the shops and marketplaces, the houses, the public squares.

But there was a hitch:

> Who is like Gilgamesh? . . . The city is his possession, he struts through it, arrogant, his head raised high, trampling its citizens like a wild bull. He is king, he does whatever he wants, takes the son from his father and crushes him, takes the girl from her mother and uses her . . . no one dares to oppose him.

Gilgamesh was out of control. A bit like Assad in Syria. In despair the people "cried out to heaven" to Anu, the god of the sky and the chief deity in the Sumerian pantheon of gods. They pleaded:

> Heavenly father, Gilgamesh . . . has exceeded all bounds. The people suffer from his tyranny . . . Is this how you want your king to rule? Should a shepherd savage his own flock?

Anu paid attention and asked Aruru, mother of creation, to

> create a double for Gilgamesh, his second self, a man who equals his strength and courage, a man who equals his stormy heart. Create a new hero, let them balance each other perfectly, so that Uruk has peace.

Anu thus came up with a solution to what we'll call the "Gilgamesh problem"—controlling the authority and the power of a state so that you get the good things

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and not the bad. Anu's was the doppelgänger solution, similar to what people today call "checks and balances." Gilgamesh's double Enkidu would contain him. James Madison, one of the founding fathers of the U.S. system of government, would have sympathized. He would argue 4,000 years later that constitutions must be designed so that "ambition must be made to counteract ambition."

Gilgamesh's first encounter with his double came when he was about to ravish a new bride. Enkidu blocked the doorway. They fought. Although Gilgamesh ultimately prevailed, his unrivaled, despotic power was gone. The seeds of liberty in Uruk?

Unfortunately not. Checks and balances parachuted from above don't work in general, and they didn't in Uruk. Soon Gilgamesh and Enkidu started to conspire. As the epic records it:

> They embraced and kissed. They held hands like brothers. They walked side by side. They became true friends.

They subsequently colluded to kill the monster Humbaba, the guardian of the great cedar forest of Lebanon. When the gods sent the Bull of Heaven to punish them, they combined forces to kill it. The prospect for liberty vanished along with the checks and balances.

If not from a state hemmed in by doppelgängers and checks and balances, where does liberty come from? Not from Assad's regime. Clearly not from the anarchy that followed the collapse of the Syrian state.

Our answer is simple: Liberty needs the state and the laws. But it is not given by the state or the elites controlling it. It is taken by regular people, by society. Society needs to control the state so that it protects and promotes people's liberty rather than quashing it like Assad did in Syria before 2011. Liberty needs a mobilized society that participates in politics, protests when it's necessary, and votes the government out of power when it can.

The Narrow Corridor to Liberty

Our argument in this book is that for liberty to emerge and flourish, both state and society must be strong. A strong state is needed to control violence, enforce laws, and provide public services that are critical for a life in which people are empowered to make and pursue their choices. A strong, mobilized society is needed to control and shackle the strong state. Doppelgänger solutions and checks

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and balances don't solve the Gilgamesh problem because, without society's vigilance, constitutions and guarantees are not worth much more than the parchment they are written on.

Squeezed between the fear and repression wrought by despotic states and the violence and lawlessness that emerge in their absence is a narrow corridor to liberty. It is in this corridor that the state and society balance each other out. This balance is not about a revolutionary moment. It's a constant, day-in, day-out struggle between the two. This struggle brings benefits. In the corridor the state and society do not just compete, they also cooperate. This cooperation engenders greater capacity for the state to deliver the things that society wants and foments greater societal mobilization to monitor this capacity.

What makes this a corridor, not a door, is that achieving liberty is a process; you have to travel a long way in the corridor before violence is brought under control, laws are written and enforced, and the state starts providing services to its citizens. It is a process because the state and its elites must learn to live with the shackles society puts on them and different segments of society have to learn to work together despite their differences.

What makes this corridor narrow is that this is no easy feat. How can you contain a state that has a huge bureaucracy, a powerful military, and the freedom to decide what the law is? How can you ensure that as the state is called on to take on more responsibilities in a complex world, it will remain tame and under control? How can you keep society working together rather than turning against itself, riven with divisions? How do you prevent all of this from flipping into a zero-sum contest? Not easy at all, and that's why the corridor is narrow, and societies enter and depart from it with far-reaching consequences.

You can't engineer any of this. Not that very many leaders, left to their own devices, would really try to engineer liberty. When the state and its elites are too powerful and society is meek, why would leaders grant people rights and liberty? And if they did, could you trust them to stick to their word?

You can see the origins of liberty in the history of women's liberation from the days of Gilgamesh right down to our own. How did society move from a situation where, as the epic has it, "every girl's hymen . . . belonged to him," to one where women have rights (well, in some places anyway)? Could it be that these rights were granted by men? The United Arab Emirates, for instance, has a Gender Balance Council formed in 2015 by Sheikh Mohammed bin Rashid Al Maktoum, vice president and prime minister of the country and ruler of Dubai. It gives out gender equality awards every year for things like the "best government entity

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supporting gender balance," "best federal authority supporting gender balance," and "best gender balance initiative." The awards for 2018, given out by Sheikh Maktoum himself, all have one thing in common—every one went to a man! The problem with the United Arab Emirates' solution was that it was engineered by Sheikh Maktoum and imposed on society, without society's participation.

Contrast this with the more successful history of women's rights, for example, in Britain, where women's rights were not given but taken. Women formed a social movement and became known as the suffragettes. The suffragettes emerged out of the British Women's Social and Political Union, a women-only movement founded in 1903. They didn't wait for men to give them prizes for "best gender balance initiative." They mobilized. They engaged in direct action and civil disobedience. They bombed the summer house of the then chancellor of the exchequer and later prime minister, David Lloyd George. They chained themselves to railings outside the Houses of Parliament. They refused to pay their taxes and when they were sent to prison, they went on hunger strikes and had to be force-fed.

Emily Davison was a prominent member of the suffragette movement. On June 4, 1913, at the famous Epsom Derby horse race, Davison ran onto the track in front of Anmer, a horse belonging to King George V. Davison, according to some reports holding the purple, white, and green flag of the suffragettes, was hit by Anmer. The horse fell and crushed her, as the photograph included in the photo insert shows. Four days later Davison died from her injuries. Five years later women could vote in parliamentary elections. Women didn't get rights in Britain because of magnanimous grants by some (male) leaders. Gaining rights was a consequence of their organization and empowerment.

The story of women's liberation isn't unique or exceptional. Liberty almost always depends on society's mobilization and ability to hold its own against the state and its elites.

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Chapter 1

HOW DOES HISTORY END?

A Coming Anarchy?

In 1989, Francis Fukuyama predicted the "end of history," with all countries converging to the political and economic institutions of the United States, what he called "an unabashed victory of economic and political liberalism." Just five years later Robert Kaplan painted a radically different picture of the future in his article "The Coming Anarchy." To illustrate the nature of this chaotic lawlessness and violence, he felt compelled to begin in West Africa:

> West Africa is becoming the symbol of [anarchy] . . . Disease, overpopulation, unprovoked crime, scarcity of resources, refugee migrations, the increasing erosion of nation-states and international borders, and the empowerment of private armies, security firms, and international drug cartels are now most tellingly demonstrated through a West African prism. West Africa provides an appropriate introduction to the issues, often extremely unpleasant to discuss, that will soon confront our civilization. To remap the political earth the way it will be a few decades hence . . . I find I must begin with West Africa.

In a 2018 article, "Why Technology Favors Tyranny," Yuval Noah Harari made yet another prediction about the future, arguing that advances in artificial intelligence

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are heralding the rise of "digital dictatorships," where governments will be able to monitor, control, and even dictate the way we interact, communicate, and think.

So history might still end, but in a very different way than Fukuyama had imagined. But how? The triumph of Fukuyama's vision of democracy, anarchy, or digital dictatorship? The Chinese state's increasing control over the Internet, the media, and the lives of ordinary Chinese might suggest that we are heading toward digital dictatorship, while the recent history of the Middle East and Africa reminds us that a future of anarchy is not so far-fetched.

But we need a systematic way to think about all of this. As Kaplan suggested, let's begin in Africa.

The Article 15 State

If you keep going east along the West African coast, the Gulf of Guinea eventually turns south and heads to Central Africa. Sailing past Equatorial Guinea, Gabon, and Pointe-Noire in Congo-Brazzaville, you arrive at the mouth of the river Congo, the entry point to the Democratic Republic of the Congo, a country that is often thought to be the epitome of anarchy. The Congolese have a joke: there have been six constitutions since the country gained its independence from Belgium in 1960, but they all have the same Article 15. The nineteenth-century French prime minister Charles-Maurice Talleyrand said that constitutions should be "short and obscure." Article 15 fulfills his dictum. It is short and obscure; it says simply *Débrouillez-vous* (Fend for yourself).

It's usual to think of a constitution as a document that lays out the responsibilities, duties, and rights of citizens and states. States are supposed to resolve conflicts among their citizens, protect them, and provide key public services such as education, healthcare, and infrastructure that individuals are not able to adequately provide on their own. A constitution isn't supposed to say *Débrouillez-vous.*

The reference to "Article 15" is a joke. There isn't such a clause in the Congolese Constitution. But it's apt. The Congolese have been fending for themselves at least since independence in 1960 (and things were even worse before). Their state has repeatedly failed to do any of the things it is supposed to do and is absent from vast swaths of the country. Courts, roads, health clinics, and schools are moribund in most of the country. Murder, theft, extortion, and intimidation are commonplace. During the Great War of Africa that raged in the Congo between 1998 and 2003, the lives of most Congolese, already wretched, turned into a veritable hell.

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Possibly five million people perished; they were murdered, died of disease, or starved to death.

Even during times of peace the Congolese state has failed to uphold the actual clauses of the constitution. Article 16 states:

> All persons have the right to life, physical integrity and to the free development of their personality, while respecting the law, public order, the rights of others and public morality.

But much of the Kivu region, in the east of the country, is still controlled by rebel groups and warlords who plunder, harass, and murder civilians while looting the country's mineral wealth.

What about the real Article 15 in the Congolese Constitution? It begins, "The public authorities are responsible for the elimination of sexual violence . . ." Yet in 2010 an official of the United Nations described the country as the "rape capital of the world."

The Congolese are on their own. *Débrouillez-vous.*

A Journey Through Dominance

This adage is not apposite just for the Congolese. If you retrace the Gulf of Guinea, you arrive at the place that seemed to best sum up Kaplan's bleak vision of the future, Lagos, the business capital of Nigeria. Kaplan described it as a city "whose crime, pollution, and overcrowding make it the cliché par excellence of Third World urban dysfunction."

In 1994, as Kaplan wrote, Nigeria was under the control of the military with General Sani Abacha as president. Abacha did not think that his job was to impartially resolve conflicts or protect Nigerians. He focused on killing his opponents and expropriating the country's natural wealth. Estimates of how much he stole start at around $3.5 billion and go higher.

The previous year the Nobel Prize–winning writer Wole Soyinka returned to Lagos, crossing the land border from Cotonou, the capital of neighboring Benin (which is shown on Map 1). He recalled, "The approach to the Nigeria-Cotonou border told the story at first glance. For miles we cruised past a long line of vehicles parked along the road right up to the border, unable or unwilling to cross." People who ventured across "returned within an hour of their venture either with damaged

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Map 1. West Africa: The Historic Asante Kingdom, Yorubaland and Tivland, and Wole Soyinka's Route from Cotonou to Lagos

vehicles or with depleted pockets, having been forced to pay a toll for getting even as far as the first roadblock."

Undeterred, Soyinka crossed into Nigeria to find somebody to take him to the capital, only to be told, "*Oga* Wole, *eko o da o*" (Master Wole, Lagos is not good). A taxi driver came forward pointing to his bandaged head with his bandaged hand. He proceeded to narrate the reception he had received; a bloodthirsty gang had pursued him even as he drove his car in reverse at full speed.

> *Oga* . . . Dose rioters break my windshield even as I dey already reversing back. Na God save me self . . . *Eko ti daru* [Lagos is in chaos].

Finally, Soyinka found a taxi to take him to Lagos, though the reluctant driver opined, "The road is ba-a-ad. Very bad." As Soyinka put it, "And thus began the most nightmarish journey of my existence." He continued:

> The roadblocks were made up of empty petroleum barrels, discarded tires and wheel hubs, vending kiosks, blocks of wood and tree trunks,

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> huge stones . . . The freelance hoodlums had taken over . . . At some roadblocks there was a going fee; you paid it and were allowed to pass—but that safe conduct lasted only until the next barrier. Sometimes the fee was a gallon or more of fuel siphoned from your car, and then you were permitted to proceed—until the next barrier . . . Some vehicles had clearly run a gauntlet of missiles, cudgels, and even fists; others could have arrived directly from the film set of *Jurassic Park*—one could have sworn there were abnormal teeth marks in the bodywork.

As he approached Lagos, the situation grew worse.

> Normally the journey into the heart of Lagos would take two hours. Now it was already five hours later, and we had covered only some fifty kilometers. I became increasingly anxious. The tension in the air became palpable as we moved nearer to Lagos. The roadblocks became more frequent; so did the sight of damaged vehicles and, worst of all, corpses.

Corpses are not an unusual sight in Lagos. When a senior policeman went missing, the police searched the waters under a bridge for his body. They stopped looking after six hours and twenty-three corpses, none of them the one they were seeking.

While the Nigerian military looted the country, Lagosians had to do a lot of fending for themselves. The city was crime ridden and the international airport was so dysfunctional that foreign countries banned their airlines from flying there. Gangs called "area boys" preyed on businessmen, shaking them down for money and even murdering them. The area boys weren't the only hazard people had to avoid. In addition to the odd corpse, the streets were covered in trash and rats. A BBC reporter commented in 1999 that "the city is . . . disappearing under a mountain of rubbish." There was no publicly provided electricity or running water. To get light you had to buy your own generator. Or candles.

The nightmarish existence of Lagosians wasn't just that they lived in rat-infested, trash-strewn streets and saw corpses on the sidewalk. They lived in continual fear. Living in downtown Lagos with the area boys wasn't fun. Even if they decided to spare you today, they might come after you tomorrow—especially if you had the audacity to complain about what they were doing to your city or didn't show them the subservience they demanded. This fear, insecurity, and uncertainty may be as debilitating as actual violence because, to use a term introduced

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by political philosopher Philip Pettit, it puts you under the "dominance" of another group of human beings.

In his book *Republicanism: A Theory of Freedom and Government*, Pettit argues that the fundamental tenet of a fulfilling, decent life is non-dominance—freedom from dominance, fear, and extreme insecurity. It is unacceptable, according to Pettit, when one has to

> live at the mercy of another, having to live in a manner that leaves you vulnerable to some ill that the other is in a position arbitrarily to impose.

Such dominance is experienced when

> the wife . . . finds herself in a position where her husband can beat her at will, and without any possibility of redress; by the employee who dare not raise a complaint against an employer, and who is vulnerable to any of a range of abuses . . . that the employer may choose to perpetrate; by the debtor who has to depend on the grace of the moneylender, or the bank official, for avoiding utter destitution and ruin.

Pettit recognizes that the threat of violence or abuses can be as bad as actual violence and abuses. To be sure, you can avoid the violence by following some other person's wishes or orders. But the price is doing something you don't want to do and being subject to that threat day in and day out. (As economists would put it, the violence might be "off the equilibrium path," but that doesn't mean that it doesn't affect your behavior or have consequences that are almost as bad as suffering actual violence.) As Pettit sees it, such people

> live in the shadow of the other's presence, even if no arm is raised against them. They live in uncertainty about the other's reactions and in need of keeping a weather eye open for the other's moods. They find themselves . . . unable to look the other in the eye, and where they may even be forced to fawn or toady or flatter in the attempt to ingratiate themselves.

But dominance doesn't just originate from brute force or threats of violence. Any relation of unequal power, whether enforced by threats or by other social means, such as customs, will create a form of dominance, because it amounts to being

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> subject to arbitrary sway: being subject to the potentially capricious will or the potentially idiosyncratic judgement of another.

We refine Locke's notion and define liberty as the absence of dominance, because one who is dominated cannot make free choices. Liberty, or in Pettit's words, non-dominance, means

> emancipation from any such subordination, liberation from any such dependency. It requires the capacity to stand eye to eye with your fellow citizens, in a shared awareness that none of you has a power of arbitrary interference over another.

Critically, liberty requires not just the abstract notion that you are free to choose your actions, but also the ability to exercise that freedom. This ability is absent when a person, group, or organization has the power to coerce you, threaten you, or use the weight of social relations to subjugate you. It cannot be present when conflicts are resolved by actual force or its threat. But equally, it doesn't exist when conflicts are resolved by unequal power relations imposed by entrenched customs. To flourish, liberty needs the end of dominance, whatever its source.

In Lagos liberty was nowhere to be seen. Conflict was resolved in favor of the stronger, the better-armed party. There was violence, theft, and murder. Infrastructure was crumbling at every turn. Dominance was all around. This was not a coming anarchy. It was already there.

Warre and the Leviathan

Lagos in the 1990s may seem an aberration to most of us living in security and comfort. But it isn't. For most of human existence, insecurity and dominance have been facts of life. For most of history, even after the emergence of agriculture and settled life about ten thousand years ago, humans lived in "stateless" societies. Some of these societies resemble a few surviving hunter-gatherer groups in the remote regions of the Amazon and Africa (sometimes also called "small-scale societies"). But others, such as the Pashtuns, an ethnic group of about 50 million people who occupy much of southern and eastern Afghanistan and northwestern Pakistan, are far larger and engaged in farming and herding. Archaeological and anthropological evidence shows that many of these societies were locked in an even more traumatic existence than the inhabitants of Lagos suffered daily in the 1990s.

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The most telling historical evidence comes from deaths in warfare and murder, which archaeologists have estimated from disfigured or damaged skeletal remains; some anthropologists have observed this firsthand in surviving stateless societies. In 1978, the anthropologist Carol Ember systematically documented that there were very high rates of warfare in hunter-gatherer societies—a shock to her profession's image of "peaceful savages." She found frequent warfare, with a war at least every other year in two-thirds of the societies she studied. Only 10 percent of them had no warfare. Steven Pinker, building on research by Lawrence Keeley, compiled evidence from twenty-seven stateless societies studied by anthropologists over the past two hundred years, and estimated a rate of death caused by violence of over 500 per 100,000 people—over 100 times the current homicide rate in the United States, 5 per 100,000, or over 1,000 times that in Norway, about 0.5 per 100,000. Archaeological evidence from premodern societies is consistent with this level of violence.

We should pause to take in the significance of these numbers. With a death rate of over 500 per 100,000, or 0.5 percent, a typical inhabitant of this society has about a 25 percent likelihood of being killed within a period of fifty years—so a quarter of the people you know will be violently killed during their lifetimes. It is hard for us to imagine the unpredictability and fear that such brazen social violence would imply.

Though a lot of this death and carnage was due to warring between rival tribes or groups, it wasn't just warfare and intergroup conflict that brought incessant violence. The Gebusi of New Guinea, for example, have even higher murder rates—almost 700 per 100,000 in the precontact period of the 1940s and 1950s—mostly taking place during peaceful, regular times (if times during which almost 1 in 100 of the population gets murdered each year can be called peaceful!). The reason appears to be related to the belief that every death is caused by witchcraft, which triggers a hunt for the parties responsible for even nonviolent deaths.

It's not just murder that makes the lives of stateless societies precarious. Life expectancy at birth in stateless societies was very low, varying between twenty-one and thirty-seven years. Similarly short lifespans and violent deaths were not unusual for our progenitors before the past two hundred years. Thus many of our ancestors, just like the inhabitants of Lagos, lived in what the famous political philosopher Thomas Hobbes described in his book *Leviathan* as

> continuall feare, and danger of violent death; And the life of man, solitary, poore, nasty, brutish, and short.

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This was what Hobbes, writing during another nightmarish period, the English Civil War of the 1640s, described as a condition of "Warre," or what Kaplan would have called "anarchy"—a situation of war of all against all, "of every man, against every man."

Hobbes's brilliant depiction of Warre made it clear why life under this condition would be worse than bleak. Hobbes started with some basic assumptions about human nature and argued that conflicts would be endemic in any human interaction. "If any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and . . . endeavor to destroy, or subdue one an other." A world without a way to resolve these conflicts was not going to be a happy one because

> from hence it comes to passe, that where an Invader hath no more to fear, than an other mans single power; if one plant, sow, build, or possesse a convenient Seat, others may probably be expected to come prepared with forces united, to dispossess and deprive him, not only of the fruit of his labour, but also of his life, or liberty.

Remarkably, Hobbes anticipated Pettit's argument on dominance, noting that just the threat of violence can be pernicious, even if you can avoid actual violence by staying home after dark, by restricting your movements and your interactions. Warre, according to Hobbes, "consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary." So the prospect of Warre also had huge consequences for people's lives. For example, "when taking a journey, he arms himself, and seeks to go well accompanied; when going to sleep, he locks his dores; when even in his house he locks his chests." All of this was familiar to Wole Soyinka, who never moved anywhere in Lagos without a Glock pistol strapped to his side for protection.

Hobbes also recognized that humans desire some basic amenities and economic opportunities. He wrote, "The Passions that encline men to Peace, are Feare of Death; Desire of such things as are necessary to commodious living; and a Hope by their Industry to obtain them." But these things would not come naturally in the state of Warre. Indeed, economic incentives would be destroyed.

> In such condition there is no place for industry, because the fruit thereof is uncertain, and consequently no culture of the earth, no navigation nor use of the commodities that may be imported by sea, no commodious

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> building, no instruments of moving and removing such things as require much force, no knowledge of the face of the earth.

Naturally, people would look for a way out of anarchy, a way to impose "restraint upon themselves" and get "themselves out from the miserable condition of Warre, which is necessarily consequent . . . to the natural Passions of men." Hobbes had already anticipated how this could happen when he introduced the notion of Warre, since he observed that Warre emerges when "men live without a common Power to keep them all in awe." Hobbes dubbed this common Power the "great LEVIATHAN called a COMMON-WEALTH or STATE," three words he used interchangeably. The solution to Warre was thus to create the sort of centralized authority that the Congolese, the Nigerians, or the members of anarchic, stateless societies did not have. Hobbes used the image of the Leviathan, the great sea monster described in the Bible's Book of Job, to stress that this state needed to be powerful. The frontispiece of his book, shown in the photo insert, featured an etching of the Leviathan with a quotation from Job:

> There is no power on earth to be compared to him. (Job 41:24)

Point taken.

Hobbes understood that the all-powerful Leviathan would be feared. But better to fear one powerful Leviathan than to fear everybody. The Leviathan would stop the war of all against all, ensure people do not "endeavor to destroy, or subdue one an other," clean up the trash and the area boys, and get the electricity going.

Sounds great, but how exactly do you get a Leviathan? Hobbes proposed two routes. The first he called a "Common-wealth by Institution . . . when a Multitude of men do Agree, and Covenant, every one, with every one" to create such a state and delegate power and authority to it, or as he put it, "to submit their Wills, every one to his Will, and their Judgments, to his Judgment." So a sort of grand social contract ("Covenant") would accede to the creation of a Leviathan. The second he called a "Common-wealth by Acquisition," which "is acquired by force," since Hobbes recognized that in a state of Warre somebody might emerge who would "subdueth his enemies to his will." The important thing was that "the Rights, and Consequences of Sovereignty, are the same in both." However society got a Leviathan, Hobbes believed, the consequences would be the same—the end of Warre.

This conclusion might sound surprising, but Hobbes's logic is revealed by his

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discussion of the three alternative ways to govern a state: through monarchy, aristocracy, or democracy. Though these appear to be very different decision-making institutions, Hobbes argued that "the difference between these three kindes of Common-wealth consisteth not in the difference of Power; but in the difference of Convenience." On balance, a monarchy was more likely to be convenient and had practical advantages, but the main point is that a Leviathan, however governed, would do what a Leviathan does. It would stop Warre, abolish "continuall feare, and danger of violent death," and guarantee that the life of men (and hopefully women too) was no longer "solitary, poore, nasty, brutish, and short." In essence, Hobbes maintained that any state would have the objective of the "conservation of Peace and Justice," and that this was "the end for which all Common-wealths are Instituted." So might, or at any rate sufficiently overwhelming might, makes right, however it came about.

The influence of Hobbes's masterpiece on modern social science can hardly be exaggerated. In theorizing about states and constitutions, we follow Hobbes and start with what problems they solve, how they constrain behavior, and how they reallocate power in society. We look for clues about how society works not in God-given laws, but in basic human motivations and how we can shape them. But even more profound is his influence on how we perceive states today. We respect them and their representatives, regardless of whether they are monarchies, aristocracies, or democracies. Even after a military coup or civil war, representatives of the new government, flying in their official jets, take their seats in the United Nations, and the international community looks to them to enforce laws, resolve conflicts, and protect their citizens. It confers on them official respect. Just as Hobbes envisaged, whatever their origins and path to power, rulers epitomize the Leviathan, and they have legitimacy.

Hobbes was right that avoiding Warre is a critical priority for humans. He was also correct in anticipating that once states formed and began monopolizing the means of violence and enforcing their laws, killings declined. The Leviathan controlled the Warre of "every man, against every man." Under Western and Northern European states, murder rates today are only 1 per 100,000 or less; public services are effective, efficient, and plentiful; and people have come as close to liberty as at any time in human history.

But there was also much that Hobbes didn't get right. For one, it turns out that stateless societies are quite capable of controlling violence and putting a lid on conflict, though as we'll see this doesn't bring much liberty. For another, he was too optimistic about the liberty that states would bring. Indeed, Hobbes was

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wrong on one defining issue (and so is the international community, we might add): might does not make right, and it certainly does not make for liberty. Life under the yoke of the state can be nasty, brutish, and short too.

Let us start with this latter point.

Shock and Awe

It wasn't simply that the Nigerian state didn't want to prevent the anarchy in Lagos or that the state in the Democratic Republic of Congo decided it would be best not to enforce laws and let rebels kill people. They lacked the capacity to do these things. The capacity of a state is its ability to achieve its objectives. These objectives often include enforcing laws, resolving conflicts, regulating and taxing economic activity, and providing infrastructure or other public services. They may also include waging wars. The capacity of the state depends partly on how its institutions are organized, but even more critically, it depends on its bureaucracy. You need bureaucrats and state employees to be present so that they can implement the state's plans, and you need these bureaucrats to have the means and motivation to carry out their mission. The first person to spell this vision out was the German sociologist Max Weber, who was inspired by the Prussian bureaucracy, which formed the backbone of the German state in the nineteenth and twentieth centuries.

In 1938, the German bureaucracy had a problem. The governing National Socialist German Workers' (Nazi) Party had decided to expel all Jews from Austria, which had recently been annexed by Germany. But a bureaucratic bottleneck quickly emerged. Things had to be done properly, so each Jew had to assemble a number of papers and documents to be able to leave. This took an inordinate amount of time. The man who occupied desk IV-B-4 in the SS (Schutzstaffel, a Nazi paramilitary organization), Adolf Eichmann, was put in charge. Eichmann came up with the idea for what the World Bank would nowadays call a "one-stop shop." He developed an assembly line system that integrated all the offices concerned—the Ministry of Finance, the income tax people, the police, and the Jewish leaders. He also sent Jewish functionaries abroad to solicit funds from Jewish organizations so that the Jews could buy the visas needed for emigration. As Hannah Arendt put it in her book *Eichmann in Jerusalem*:

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> At one end you put in a Jew who still has some property, a factory, or a shop, or a bank account, and he goes through the building from counter to counter, from office to office, and comes out at the other end without any money, without any rights, with only a passport on which it says: "You must leave the country within a fortnight. Otherwise you will go to a concentration camp."

As a result of the one-stop shop, 45,000 Jews left Austria in eight months. Eichmann was promoted to the rank of *Obersturmbannführer* (lieutenant colonel), and moved on to become the transport coordinator for the Final Solution, which involved solving many similar bureaucratic bottlenecks to facilitate mass murder.

Here was a powerful, capable state at work, a bureaucratic Leviathan. But it was using this capacity not for solving conflicts or stopping Warre, but for harassing and dispossessing and then murdering Jews. The German Third Reich, building on the tradition of Prussian bureaucracy and its professional military, certainly counts as a Leviathan by Hobbes's definition. Just as Hobbes wanted, Germans, at least a good portion of them, did "submit their Wills, every one to his Will, and their Judgments, to his Judgment." Indeed, the German philosopher Martin Heidegger told students, "The Führer alone is the present and future German reality and its law." The German state also generated awe in the population, not just among Hitler's supporters. Not many wanted to cross it or break its laws.

Awe turned into fear, with the SA (Sturmabteilung, brown-shirted paramilitaries), SS, and Gestapo roaming the streets. Germans spent their nights in cold sweats, waiting for the hard knocks on their doors and the jackboots in their living rooms that would take them to some basement for interrogation or draft them to go to the Eastern front to face almost certain death. The German Leviathan was feared much more than the anarchy in Nigeria or the Congo. And for good reason. It imprisoned, tortured, and killed huge numbers of Germans—social democrats, Communists, political opponents, homosexuals, and Jehovah's Witnesses. It murdered 6 million Jews, many of whom were German citizens, and 200,000 Roma; according to some estimates, the number of Slavs it murdered in Poland and Russia exceeded 10 million.

What Germans and citizens of the territories Germany occupied suffered under Hitler's reign wasn't Hobbes's Warre. It was the war of the state against its citizens. It was dominance and murder. Not the sort of thing Hobbes was hoping for from his Leviathan.

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Reeducation Through Labor

Fear of the all-powerful state is not confined to abhorrent exceptions such as the Nazi state. It is much more common than that. In the 1950s, China was still the darling of many Europeans on the left, Maoist thought was de rigueur in French cafés, and Chairman Mao's *Little Red Book* was a choice item in trendy booksellers. After all, here was the Chinese Communist Party that had thrown off the yoke of Japanese colonialism and Western imperialism and was busy building a capable state and socialist society out of the ashes.

On November 11, 1959, the secretary of the Communist Party in Guangshan County, Zhang Fuhong, was attacked. A man called Ma Longshan took the lead and started to kick him. Others set on him with fists and feet. He was beaten bloody and his hair ripped out in patches, his uniform was torn to threads, and he was left barely able to walk. By November 15, after repeated further attacks, he could only lie on the floor while he was kicked and punched and the rest of his hair torn out. By the time he was dragged home he had lost control of his bodily functions and could no longer eat or drink. The next day he was attacked again, and when he asked for water, it was refused. On November 19, he died.

This harrowing depiction is painted by Yang Jisheng in his book *Tombstone*. He recalls how earlier that year he was urgently called home from boarding school because his father was starving. Upon reaching home in Wanli, he noticed that

> the elm tree in front of our house had been reduced to a barkless trunk, and even its roots had been dug up and stripped, leaving only a ragged hole in the earth. The pond was dry; neighbors said it had been drained to dredge for rank-tasting mollusks that had never been eaten in the past. There was no sound of dogs barking, no chickens running about . . . Wanli was like a ghost town. Upon entering our home, I found utter destitution; there was not a grain of rice, nothing edible whatsoever, and not even water in the vat . . . My father was half-reclined on his bed, his eyes sunken and lifeless, his face gaunt, the skin creased and flaccid . . . I boiled congee from the rice I'd brought . . . but he was no longer able to swallow. Three days later he departed this world.

Yang Jisheng's father died in the great famine that struck China in the later 1950s, when possibly 45 million people starved to death. Yang shows how

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starvation was a prolonged agony. The grain was gone, the wild herbs had all been eaten, even the bark had been stripped from the trees, and bird droppings, rats, and cotton batting were all used to fill stomachs. In the kaolin clay fields, starving people chewed on the clay as they dug it. The corpses of the dead, famine victims seeking refuge from other villages, even one's own family members, became food for the desperate. Cannibalism was widespread.

The Chinese lived through a nightmare in this period. But, just as in the Third Reich, it was not brought on the people by the absence of a Leviathan. It was planned and executed by the state. Zhang Fuhong was beaten to death by his comrades in the Communist Party, and Ma Longshan was the county party secretary. Zhang's alleged crime was "right deviationism" and being a "degenerate element." That meant he attempted to instigate some solutions to the mounting famine. Even mentioning the famine in China could cause you to be labeled "a negator of the Great Harvest" and to be subjected to "struggle," a euphemism for being beaten to death.

In Huaidian People's Commune, another part of the same county, 12,134 people, a third of the population, died between September 1959 and June 1960. Most starved to death, but not all; 3,528 people were beaten by cadres of the Communist Party, 636 of those died, 141 were left permanently disabled, and 14 committed suicide.

The reason so many people perished in Huaidian is simple. In the autumn of 1959, the grain harvest brought in 5.955 million kilos, which was not unusually low. But the Communist Party had decided to procure 6 million kilos from the farmers. So all the grain from Huaidian went to the cities and the party. The farmers ate bark and mollusks, and starved.

These experiences were part of the "Great Leap Forward," the "modernization" program launched by Chairman Mao Zedong in 1958 with the aim of using the Chinese state's capacity to dramatically transform the country from a rural, agrarian society into a modern urban and industrial one. This program required heavy taxes on peasants in order to subsidize industry and invest in machinery. The result was not just a human disaster, but also an economic tragedy of major proportions, all planned and implemented by the Leviathan. Yang's disturbing book brilliantly illustrates how the Leviathan, which had "the power to deprive an individual of everything," implemented the measures, such as requisitioning the

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entire grain production from Huaidian commune, and how they were enforced by "struggle" and violence. One technique was to centralize cooking and eating into a "communal kitchen" run by the state so that "anyone who proved disobedient could be deprived of food." Consequently, "villagers lost control of their own survival." Anyone who opposed the system was "crushed," and the consequence was to turn everyone into either "despot or slave." To stay alive, people had to allow others to "trample upon the things they most cherished and flatter things they had always most despised" and demonstrate their loyalty to the system by engaging in "virtuoso pandering and deceit"—dominance pure and simple.

Hobbes argued that life was "solitary, poore, nasty, brutish, and short" when "men live without a common Power to keep them all in awe." Yet Yang's description shows that even though all "stood in awe and terror before Mao," this led to the creation rather than the abatement of a nasty, brutish, and short life for most.

Another tool of governance the Communist Party created was the "Reeducation Through Labor" system. The first document to use this phrase was the "Directives for a Complete Purge of Hidden Counter-revolutionaries," published in 1955. By the next year the reeducation system had been born and camps set up throughout the country. These camps perfected various types of "struggle." Luo Hongshan, for example, was sentenced to three years of reeducation through labor. He recalled:

> We woke up at 4 or 5 every morning and went to work at 6:30 am . . . laboring straight until 7 or 8 in the evening. When it was too dark to see, we would stop. We really had no notion of time. Beatings were common, and some detainees were beaten to death. I know of 7 or 8 detainees on the number 1 middle work unit who were beaten to death. And this doesn't count those who hung themselves or committed suicide because they couldn't bear the abuse . . . They used iron clubs, wooden bats, pick handles, leather belts . . . They broke six of my ribs, and today I am covered with scars from head to foot . . . All kinds of torture—"taking a plane," "riding a motorcycle" . . . "standing on tiptoe at midnight" (these were all names for types of punishment)—were common. They would make us eat shit and drink urine and call it eating fried dough sticks and drinking wine. They were really inhuman.

Luo was not arrested during the Great Leap Forward, but in March 2001, when China was already a respected member of the international community and

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an economic powerhouse. Indeed, the Reeducation Through Labor system was expanded after 1979 by Deng Xiaoping, the engineer of China's legendary economic growth over the last four decades, who saw it as a useful complement to his "economic reform" program. In 2012 there were around 350 reeducation camps with 160,000 detainees. A person can be committed to such a camp for up to four years without any legal process. The reeducation camps are just one part of an extensive gulag of detention centers and various illegal "black jails" dotting the Chinese countryside and are complemented by an expanded "community corrections system," which has grown rapidly in recent years. In May 2014 the system was "correcting" 709,000 people.

The struggle continues. In October 2013 Premier Xi Jinping decided to praise the "Fengqiao experience," and urged Communist Party cadres to follow its example. The phrase refers to a district in Zhejiang Province that implemented Mao Zedong's "Four Clean-ups" political campaign in 1963 without actually arresting anyone, but rather by inducing people to publicly monitor, report on, and help to "reeducate" their neighbors. It was a prelude to China's Cultural Revolution, in which hundreds of thousands and perhaps millions of innocent Chinese would be murdered (the exact numbers are unknown and undisclosed).

The Chinese Leviathan, just like the Leviathan in the Third Reich, has the capacity to resolve conflicts and get things done. But it uses its capacity not to promote liberty but for naked repression and dominance. It ends Warre, but only to replace it with a different nightmare.

The Janus-Faced Leviathan

The first crack in Hobbes's thesis is the idea that the Leviathan has a single face. But in reality, the state is Janus-faced. One face resembles what Hobbes imagined: it prevents Warre, it protects its subjects, it resolves conflicts fairly, it provides public services, amenities, and economic opportunities; it lays the foundations for economic prosperity. The other is despotic and fearsome: it silences its citizens, it is impervious to their wishes. It dominates them, it imprisons them, maims them, and murders them. It steals the fruits of their labor or helps others do so.

Some societies, like the Germans under the Third Reich or the Chinese under the Communist Party, see the fearsome face of the Leviathan. They suffer dominance, but this time at the hand of the state and those controlling the state's power. We say that such societies live with a Despotic Leviathan. The defining characteristic of the Despotic Leviathan isn't that it represses and murders its

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citizens, but that it provides no means for society and the regular people to have a say in how its power and capacity are used. It isn't that China's state is despotic because it sends its citizens to reeducation camps. It sends people to camps because it can, and it can because it is despotic, unrestrained by—and unaccountable to—society.

Hence we are back to the Gilgamesh problem from the Preface. The Despotic Leviathan creates a powerful state but then uses it to dominate society, sometimes with naked repression. What's the alternative? Before answering this question, let's return to the other problem with Hobbes's account—his presumption that statelessness means violence.

The Cage of Norms

Though the human past is replete with instances of Warre, there are plenty of stateless societies (living under the "Absent Leviathan") that managed to control violence. These range from the Mbuti Pygmies of the Congo rain forest to several large agricultural societies in West Africa, such as the Akan people of modern Ghana and Côte d'Ivoire. In Ghana the British administrator Brodie Cruickshank reported in the 1850s that

> the paths and thoroughfares of the country became as safe for the transmission of merchandize, and as free from interruption of any description, as the best frequented roads of the most highly civilized countries in Europe.

As Hobbes would have expected, the absence of Warre led to flourishing commerce. Cruickshank observed, "There was not a nook or corner of the land to which the enterprize of some sanguine trader had not led him. Every village had its festoons of Manchester cottons and China silks, hung upon the walls of the houses, or round the trees in the market-place, to attract the attention and excite the cupidity of the villagers."

You couldn't have such bustling enterprise in a society that was incapable of resolving conflicts and ensuring some type of justice. Indeed, as the French trader Joseph-Marie Bonnat observed later in the nineteenth century:

> It is to the exercise of justice, in the small villages, that the first hours of the day are devoted.

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How did the Akan people exercise justice? They used (social) norms—customs, traditions, rituals, and patterns of acceptable and expected behavior—that had evolved over generations.

Bonnat described how people gathered around for consultation. The elders are "accompanied by those in the village who are not working," and they "go and sit under the most shady tree, the slaves following their master and carrying the chair on which he is to sit. The company, which always includes a large part of the inhabitants, goes to listen to the debate and takes the part of one of the litigants. On most occasions the matter is arranged amicably, the guilty person paying the costs; this consists usually of palm wine which is distributed to those present. If the matter is serious, the penalty consists of a sheep and also of a specified quantity of gold dust."

The community listened and used its norms to decide who was guilty. The same norms then ensured that the guilty desisted, paid up, or undertook another form of restitution. Though Hobbes saw the all-powerful Leviathan as the fountainhead of justice, most societies aren't that different from the Akan. Norms determine what is right and wrong in the eyes of others, what types of behaviors are shunned and discouraged, and when individuals and families will be ostracized and cut off from the support of others. Norms also play a vital role in bonding people and coordinating their actions so that they can exercise force against other communities and those committing serious crimes in their own community.

Although norms play an important role even under the auspices of a Despotic Leviathan (could the Third Reich have survived if all Germans thought that it lacked all legitimacy, stopped cooperating with it, and organized against it?), they are critical when the Leviathan is absent because they provide the only way for society to avoid Warre.

The problem for liberty, however, is multifaceted. The same norms that have evolved to coordinate action, resolve conflicts, and generate a shared understanding of justice also create a cage, imposing a different but no less disempowering sort of dominance on people. This too is true in every society, but in societies without centralized authority and relying exclusively on norms, the cage becomes tighter, more stifling.

We can understand how the cage of norms emerges and how it restricts liberty by staying in the Akan country and studying the account of another British official, Captain Robert Rattray. In 1924 Rattray became the first head of the Anthropological Department of Asante, one of the largest Akan groups, and part of

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the British colony of the Gold Coast, now Ghana. His job was to undertake a study of Asante society, politics, and religion. He transcribed an Asante proverb thus:

> When a chicken separates itself from the rest, a hawk will get it.

For Rattray this proverb captured a critical aspect of the organization of Asante society—that it was molded by immense insecurity and potential violence. Though the Asante eventually developed one of the most powerful states in precolonial Africa, this state was founded on basic social structures dating from an era before centralized political authority emerged. Without effective state institutions, how could you avoid "a hawk"? Norms had evolved to reduce vulnerability to violence and exposure to those who could carry it out, providing some protection against hawks. But at the same time, they imposed their cage; you would have to surrender your freedom and stand with the other chickens.

Even in stateless societies some people were more influential than others, had more wealth, better connections, more authority. In Africa these people were often the chiefs, or sometimes the most senior people in a kinship group, the elders. If you wanted to avoid the hawks, you needed their protection and you needed numbers to defend yourself, so you attached yourself to a kin group or lineage. In return, you accepted their dominance over you, and this is what became the status quo, enshrined in Akan norms. As Rattray put it, you accepted "voluntary servitude."

> A condition of voluntary servitude was, in a very literal sense, the heritage of every Ashanti; it formed indeed the essential basis of his social system. In West Africa it was the masterless man and woman who ran the immanent danger of having what we should term "their freedom" turned into involuntary bondage of a much more drastic nature.

By involuntary bondage of a "much more drastic nature," Rattray meant slavery. So if you tried to free yourself from the chains of voluntary servitude, most likely you would be captured by hawks, in this instance slavers, and sold into slavery.

Indeed, a lot of the Warre in Africa was rooted in different groups trying to capture and sell others into slavery. Many vivid accounts describe the experience of Africans who were caught up in this trade. One, the story of Goi, was translated into English by a missionary, Dugald Campbell. Toward the end of the nineteenth century, Goi lived in the south of what is now the Democratic Republic of the

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Congo, in the lands of a Chief Chikwiva from the Luba people. His father died when he was young and he grew up with his mother, sister, and brother. One day

> a war party appeared, and came yelling along the path shouting their war cries. They attacked the village and killed several women. They caught young women, chased and captured us boys, and tied us all together. We were driven to the capital and sold to the slave traders, who nailed wooden shackles on our feet.

From there Goi was taken to the coast, "Dragged thus from my house and from my mother, whom I never saw again, we were driven along the 'red road' to the sea." The road was "red" because of all the blood spilled along it. By this time Goi was so weak and emaciated from starvation and constant violence that he was almost worthless.

> Reduced to a skeleton, a mere shadow, and unable to travel, I was carried round the villages and offered for sale. No one was willing to give a goat or a hen for me . . . Finally one of the missionaries named "Monare" paid a coloured handkerchief for me, worth about fivepence, and I was free. So at any rate they told me, but I did not believe it, for I could not understand what freedom meant, and I thought I was now a slave of the white men. I did not want to be free, for I would only be caught and sold again.

The threat from slavers and the cage of norms conspired to create a spectrum of unfreedom. At one end of the spectrum was the extreme of slavery experienced by Goi. At the other end were obligations and duties you had to accept in order to avoid the hawks. This meant that belonging to a kinship group or society protected you, but didn't make you free from dominance. If you were a woman, you could be traded for bridewealth and exchanged in a marriage, not to mention the more general subjugation and abuse that was the lot of women in a patriarchal society dominated by chiefs, elders, and men generally.

Within this spectrum of unfreedom were many different types of relationships. One of those, fraught with dominance, can be seen from the story of Bwanikwa, also written down by Campbell. Bwanikwa too was a Luba and her father had a dozen wives. The head wife was a daughter of an important local chief, Katumba. Bwanikwa recalled how

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> the head wife had just died. According to Luban custom he [her father] was mulcted for death dues. He was ordered to pay three slaves, as compensation for his wife's death . . . my father could raise only two.
>
> One of his four daughters had to be handed over to make a third, and I was chosen . . . When he handed me over to my master, he said to him as we parted: "Be kind to my little daughter; do not sell her to anyone else, and I will come and redeem her." As my father was unable to redeem me, I was left in slavery.

Bwanikwa's status was that of a pawn or a pledge, another relationship of subjugation common in Africa. Pawning someone meant giving them to another person for a specific purpose. Often this was payment for some sort of loan, debt, or obligation. But in Bwanikwa's case it was because her father couldn't find an extra slave. If he'd found the slave, he could have redeemed Bwanikwa. A pawn was different from a slave; there was no automatic sale, and the expectation was that the situation was temporary. But as Bwankiwa realized, it could merge into slavery. F. B. Spilsbury, a visitor to Sierra Leone in 1805 and 1806, explained:

> If a king or any other person goes to a factory, or a slave ship, and procures articles which he is not at that time able to pay for, he sends his wife, sister, or child as a pawn, putting a tally round their necks; the child then runs among the slaves until exchanged.

A related condition was that of a ward. People would send their children as wards to a more powerful family to be brought up in their household. It was a way of keeping them safe, even if they knew this would often involve permanent separation and even if it meant plunging them into a relationship of subservience to their caretakers.

These stories show that people were routinely treated as objects to be pawned and pledged. They often ended up in relationships of dominance. You had to obey the chief, the elders, your caretakers, and, if you were a woman, your husband. You had to follow the customs of your society closely. If you recall Pettit's definition of being dominated—as living "in the shadow of the other's presence . . . in need of keeping a weather eye open for the other's moods . . . forced to fawn or toady or flatter in the attempt to ingratiate themselves"—you'll see this fits it very well.

How did these subservient social statuses emerge? How were they justified?

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The answer is, again, norms; these relationships evolved as customs accepted by society and supported by beliefs of what was proper and right. People could be pawned and wards had to relinquish their freedom; wives had to obey their husbands; people had to tightly follow their prescribed social roles. Why? Because everybody else expected them to. But at a deeper level, these norms were not completely arbitrary. Though norms are not chosen by anybody and evolve over time from practices and collective beliefs, they are more likely to become widely accepted if they also play a useful role in society, or at least for some people in society. Akan society consented to norms restricting freedoms and the unequal power relations they implied because they reduced people's vulnerability to Warre. If you were a ward or pawn of an important person, the hawks were less likely to mess with you, and maybe less likely to capture you and enslave you. Another Asante proverb Rattray wrote down summarized their situation even more succinctly: "If you have not a master, a beast will catch you."

To be free was to be a chicken among the hawks, a prey for the beast. Better to settle for voluntary servitude and give away your liberty.

The cage of norms isn't just about preventing Warre. Once traditions and customs become so deeply ingrained, they start regulating many aspects of people's lives. It's then inevitable that they will start favoring those with a little more say in society at the expense of others. Even when norms have evolved over centuries, they get interpreted and enforced by these more powerful individuals. Why shouldn't they tilt the board in their favor and cement their power in the community or the household a little more?

With the exception of a few matriarchal groups, the norms of many stateless societies in Africa have created a hierarchy with men on top and women at the bottom. This is even more visible in the surviving customs in the Middle East and some parts of Asia, for example, among the Pashtuns, whom we mentioned earlier. Pashtun lives are tightly regulated by their ancestral customs, called the Pashtunwali. The Pashtunwali system of law and governance puts a lot of emphasis on generosity and hospitality. But it also creates a stifling cage of norms. One aspect of this is the sanctioning of revenge for a whole host of acts. One of the most common compilations of the Pashtunwali starts by noting that

> a Pashtun believes and acts in accordance with the principles of . . . an eye for an eye, a tooth for a tooth and blood for blood. He wipes out insult

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> with insult regardless of cost or consequence and vindicates his honor by wiping out disgrace with suitable action.

Warre is always around the corner, even if there is a lot of generosity and hospitality aimed at preventing it. This has predictable consequences for everybody's liberty. But the weight falls more heavily on women. Pashtun norms not only make women subservient to their fathers, brothers, and husbands; they also restrict their every action. Adult women do not work and mostly stay inside. If they go outside, they go covered from head to toe with a burka and must be in the company of a male relative. Punishments for extramarital relations are draconian. The subjugation of women is another facet of the illiberty created by the cage of norms.

Beyond Hobbes

All in all, we are seeing a rather different picture from the one Hobbes painted. The problem in societies where the Leviathan is absent isn't just uncontrolled violence of "every man, against every man." Equally critical is the cage of norms, which creates a rigid set of expectations and a panoply of unequal social relations producing a different but no lighter form of dominance.

Perhaps centralized, powerful states can help us achieve liberty? But we have seen that such states are likely to act despotically, repress their citizens, and stamp out liberty rather than promote it.

Are we then doomed to choose between one type of dominance over another? Trapped in either Warre or the cage of norms or under the yoke of a despotic state? Though there is nothing automatic about the emergence of liberty, and it hasn't been easy to achieve in human history, there is room for liberty in human affairs and this critically depends on the emergence of states and state institutions. Yet these must be very different from what Hobbes imagined—not the all-powerful, unrestrained sea monster, but a shackled state. We need a state that has the capacity to enforce laws, control violence, resolve conflicts, and provide public services but is still tamed and controlled by an assertive, well-organized society.

Shackling the Texans

The U.S. state of Wyoming was created by the Pacific Railroad Act of 1862, which called for the construction of a railroad to connect the eastern and western United

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States. The Union Pacific was built west from the Missouri River to link up with the Central Pacific heading east from Sacramento, California. In 1867 it reached what was to become the state of Wyoming, at that time merely a county of the Dakota Territory. By July 1867, settlers were already arriving and General Grenville M. Dodge, chief engineer of the Union Pacific, began the survey for a city at Cheyenne, which would become the capital of the state. It was to be four miles square with well-organized blocks, alleys, and streets. The Union Pacific, the beneficiary of a huge land grant from the government as an incentive to get the railroad constructed, started selling off the lots three days after Dodge surveyed them. The first went for $150. By August 7, though Cheyenne was mostly a city of tents, a mass meeting in a local store chose a committee to write a city charter. On September 19 the first newspaper of the town, a triweekly tabloid called the *Cheyenne Leader*, was launched. By December the newspaper was advising its readers to carry guns at night for self-protection because of "frequent occurrences of garroting." On October 13 of the next year, the editor asserted:

> Pistols are almost as numerous as men. It is no longer thought to be an affair of any importance to take the life of a fellow being.

At this point Cheyenne resorted to vigilante justice to solve the problems endemic to the American frontier. In January 1868 three men were arrested for theft but released on bail. The next morning they were found tied together with a sign that read "$900 stole . . . $500 Recovered . . . Next case goes up a tree. Beware of Vigilance Committee." The next day vigilantes caught and hanged three "ruffians."

In the rural cattle areas, things were much worse. As Edward W. Smith of Evanston told the United States Public Land Commission in 1879, "Away from settlements the shotgun is the only law." As the cattle spread, conflicts between ranchers and homesteaders grew, and the reaction of the cattlemen led to the Johnson County Range War. On Tuesday, April 5, 1892, a special six-car train sped north from Cheyenne, carrying twenty-five Texas gunmen along with another twenty-four locals who had joined them. The men had a "Dead List of seventy men" they intended to kill.

We don't have information about the homicide rate in Cheyenne in the 1890s, though data for the mining town of Benton, California, suggests that there it may have reached an incredible high of 24,000 per 100,000! More likely it was closer to 83 per 100,000, the rate during the California gold rush, or 100 per 100,000, the rate in Dodge City, Kansas, in the days of Wyatt Earp.

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This sounds as bad as Lagos when Soyinka was trying to make it there with his Glock pistol at the ready. But things turned out quite differently in Wyoming (actually, they turned out rather differently from what Kaplan expected in Lagos too, as we'll explain in Chapter 14). The anarchy, fear, and violence were contained. Indeed, the Texans were soon holed up at the TA Ranch surrounded by lawmen from the town of Buffalo who were warned of their arrival. After three days of siege, the cavalry came, ordered in by President William Henry Harrison, and shackled all of the Texans and their collaborators. Today Wyoming largely enjoys freedom from fear, violence, and dominance. It has one of the lowest homicide rates in the United States, about 1.9 per 100,000.

Wyoming has a pretty good record when it comes to helping people break free from the cage of norms too. Take the subjugation of women. Even during the worst of times, women in Wyoming did not face the same restrictions as those in Pashtun areas of Afghanistan and Pakistan or many parts of Africa. But as everywhere else in the world, women in the first half of the nineteenth century had very limited power and no say in public affairs, and had to put up with myriad constraints on their behavior, both because of their unequal status in marriage and because of the norms and customs of their societies. That started to change as women got the right to vote. The first place in the world to grant female suffrage was Wyoming in 1869, earning it the nickname the Equality State. This wasn't because Wyoming's customs and norms favored women compared to other parts of the world. Rather, the state's legislature granted them voting rights, partly to make it more attractive for women to move to this new state, partly to ensure that there would be enough voters to meet the population requirement for statehood, and partly because once African Americans began gaining full citizenship and voting rights, it seemed less acceptable to leave women out of this process. We'll see in the next chapter that there are many reasons why the cage of norms often starts breaking down once a state capable of shackling the hoodlums and enforcing laws is in place.

The Shackled Leviathan

The Leviathan that got the Warre under control and started to break the cage of norms in Wyoming is a different kind of beast from the ones we have discussed so far. It wasn't absent except in the very early days. It had the capacity to shackle the Texans. Since then it has massively expanded this capacity and can now resolve

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it is in their way). On the other hand, they introduce unrestrained despotism. Chapter 4 examines the consequences of the Absent and Despotic Leviathans for the economic and social lives of citizens. It explains why economic prosperity is more likely to emerge under the Despotic Leviathan than under either the anarchic conditions of Hobbesian Warre or in the cramped space created by the cage of norms. But we'll also see that prosperity created by the Despotic Leviathan is both limited and rife with inequities.

Chapter 5 contrasts the workings of the economy under the Absent and Despotic Leviathans to life in the corridor. We'll see that the Shackled Leviathan creates very different types of economic incentives and opportunities and permits a much greater degree of experimentation and social mobility. We focus on the Italian communes and the ancient Zapotec civilization in the Americas to communicate these ideas and also to highlight that there is nothing uniquely European about Shackled Leviathans. This last point notwithstanding, it is of course the case that most examples of the Shackled Leviathan we have come from Europe. Why is this so?

Chapter 6 explains why several European countries have managed to build broadly participatory societies with capable but still shackled states. Our answer focuses on the factors that led much of Europe toward the corridor during the early Middle Ages as Germanic tribes, especially the Franks, came to invade the lands dominated by the Western Roman Empire after its collapse. We argue that the marriage of the bottom-up, participatory institutions and norms of Germanic tribes and the centralizing bureaucratic and legal traditions of the Roman Empire forged a unique balance of power between state and society, enabling the rise of the Shackled Leviathan. Underscoring the importance of this marriage, very different types of states emerged in parts of Europe where either the Roman tradition or the bottom-up politics of Germanic tribes were absent (such as Iceland or Byzantium). We then trace the path of liberty and the Shackled Leviathan, which had considerable ups and downs and veered out of the corridor on several occasions.

Chapter 7 contrasts the European experience with Chinese history. Despite historic similarities, the early development of a powerful state in China completely removed societal mobilization and political participation. Without these countervailing forces, the Chinese development path closely follows that of the Despotic Leviathan. We trace the economic consequences of this type of state-society relationship both in Chinese history and today, and discuss whether the Shackled Leviathan can emerge in China anytime soon.

Chapter 8 moves to India. Unlike China, India does have a long history of

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popular participation and accountability. But liberty has been no more successful in taking root in India. We argue this is because of the powerful cage of norms in India, as epitomized by its caste system. Caste relations have not only inhibited liberty but also made it impossible for society to effectively contest power and monitor the state. The caste system has produced a society fragmented against itself and a state that lacks capacity, which is nonetheless unaccountable as the fragmented society remains immobilized and powerless.

Chapter 9 returns to the European experience, but this time to study why some parts of Europe and not others found their way into and stayed in the corridor. In the process of answering this question, we develop another one of the central ideas of the book: the conditional nature of how structural factors influence state-society relationships. We emphasize that the impact of various structural factors, such as economic conditions, demographic shocks, and war, on the development of the state and the economy depend on the prevailing balance between state and society. There are thus no unambiguous conclusions to be drawn about structural factors. We illustrate these ideas by discussing why, starting with similar conditions and facing similar international problems, Switzerland developed a Shackled Leviathan, while Prussia fell under the dominance of the Despotic Leviathan. We contrast these cases with Montenegro, where the state did not play much of a role in either conflict resolution or in organizing economic activity. We apply the same ideas to explain why Costa Rica and Guatemala diverged sharply in the face of nineteenth-century economic globalization, and why the Soviet Union's collapse led to a diverse set of political paths.

Chapter 10 returns to the development of the American Leviathan. We emphasize that, although the U.S. managed to build a Shackled Leviathan, this was based on a Faustian bargain—the Federalists accepted a Constitution that kept the federal state weak both to appease a society that was concerned about the threat of despotism and to reassure Southern slaveholders who were worried about losing their slaves and assets. This compromise worked, and the U.S. is still in the corridor. But it also led to an unbalanced development of the American Leviathan which, even as it has become a veritable international sea monster, still has only limited capacity in several important domains. This is most visible in the inability or unwillingness of the American Leviathan to protect its citizens from violence. This unbalanced development also led to the American Leviathan's patchy record in structuring economic policy to ensure equitable gains from economic growth. We'll see how uneven state development has caused a distorted evolution of the power and capabilities of society, and paradoxically how it created room for the

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state's power to evolve in unmonitored and unaccountable ways in some domains (such as national security).

Chapter 11 shows that states in many developing countries may act as despots but lack the capacity of the Despotic Leviathan. We explain how these "Paper" Leviathans have come about and why they make so little attempt to build capacity. Our answer is that this is mostly because they are afraid of mobilizing society and thereby destabilizing their control over it. One origin of these Paper Leviathans lies in the indirect rule of colonial powers, which set up modern-looking administrative structures but at the same time empowered local elites to rule with few constraints and little participation from society.

Chapter 12 turns to the Middle East. Though state builders will often loosen the cage of norms as it limits their ability to mold society, there are circumstances under which despotic states may find it beneficial to strengthen or even to refashion the cage. We explain how this tendency has characterized Middle Eastern politics, the historical and social circumstances that have made it an attractive strategy for would-be despots, and the implications of this development path for liberty, violence, and instability.

Chapter 13 discusses how the Shackled Leviathan may get out of control when the race between state and society turns "zero-sum," with each side trying to undercut and destroy the other for survival. We emphasize how this outcome is more likely when institutions are not up to the task of impartially resolving conflicts and lose the trust of some segments of the public. We look at the collapse of the Weimar Republic in Germany, Chilean democracy in the 1970s, and the Italian communes to illustrate these dynamics and identify the structural factors making this type of zero-sum competition more likely. Finally we link these forces to the rise of modern-day populist movements.

Chapter 14 discusses how societies move into the corridor and whether anything can be done to facilitate such a move. We emphasize several important structural factors, focusing on what makes the corridor wider and thus easier to move into. We explain the role of broad coalitions in such transitions and discuss a number of cases of successful transitions as well as some failed ones.

In Chapter 15 we turn to the challenges facing nations in the corridor. Our main argument is that as the world changes, the state must expand and take on new responsibilities, but this in turn requires society to become more capable and vigilant, lest it find itself spinning out of the corridor. New coalitions are critical for the state to gain greater capacity while keeping its shackles—a possibility illustrated by

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Sweden's response to the economic and social exigencies created by the Great Depression and how this led to the emergence of social democracy. It is no different today when we are facing many new challenges, ranging from inequality, joblessness, and slow economic growth to complex security threats. We need the state to develop additional capabilities and shoulder fresh responsibilities, but only if we can find new ways of keeping it shackled, mobilizing society and protecting our liberties.

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Chapter 2

THE RED QUEEN

The Six Labors of Theseus

By around 1200 BCE, the Bronze Age civilizations that had dominated the Greek world for the previous millennium had started collapsing and were making way for the so-called Greek Dark Ages. Bronze Age Greek societies were run by chiefs or kings living in centralized palaces and bureaucratic administrations that used a writing system called Linear B, collected taxes, and regulated economic activity. All this disappeared during the Dark Ages. The chaos of this new era is the subject of the legends of Theseus, the mythical ruler of Athens. One of the best accounts of his exploits was written by the Greek scholar Plutarch, who spent much of his life as one of the two priests of the Oracle of Delphi.

Theseus, the illegitimate son of the king of Athens, Aegeus, was raised in Troezen in the northeastern Peloponnese. To claim his rightful throne, Theseus had to travel back to Athens by land or sea. He chose land, but Plutarch notes:

> It was difficult to make the journey to Athens by land, since no part of it was clear nor yet without peril from robbers or miscreants.

During the trip Theseus had to battle a series of bandits. The first he encountered, Periphetes, stalked the road to Athens, robbing and killing people with a bronze club. Plutarch recounts how Theseus wrestled with Periphetes and used

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the twenty-four hours following the murder. Culpability then spreads to extended kinfolk. With respect to accidental murders, the *Kanun* states, "In this type of killing, the murderer must leave and remain concealed until the affair is clarified." Exactly as in Draco's law, except that nobody even tried to write down, clarify, or regulate what these norms were in Albania until the twentieth century.

Solon's Shackles

Less than thirty years after Draco wrote his laws, Athens started the process of building a Shackled Leviathan. The problem of controlling routine conflicts and the power struggles among elites was ongoing. To this was now added conflict between elites and citizens over the direction of society. Aristotle observed that around the time of Draco there was "an extended period of discord between the upper classes and the citizens." In the words of Plutarch, there was a

> long-standing political dispute, with people forming as many different political parties as there were different kinds of terrain in the country. There were the Men of the Hills, who were the most democratic party, the Men of the Plain, who were the most oligarchic, and thirdly the Men of the Coast, who favored an intermediate, mixed kind of system.

In essence, the disagreement was over the balance of power between elites and regular people, and whether the state would be controlled democratically or oligarchically (meaning by the handful of richest and most powerful families). Solon, a trader and widely respected military commander, played the defining role in charting Athens's course.

In 594 BCE, Solon was made Archon for a year. As Plutarch put it, "The rich found him acceptable because of his wealth, and the poor because of his integrity." The post of Archon had been monopolized by elites, but Solon likely assumed the role through popular pressure, as the struggle between the elites and the citizens tilted a little in favor of the latter. He turned out to be quite a reformer, transforming Athenian institutions in order to constrain the elites' and the state's power over the citizens, while at the same time increasing the capacity of the state to resolve conflicts. In a surviving fragment of his writings, Solon observed that his institutional design was intended to create a balance of power between the rich and the poor.

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> To the people I gave as much privilege as was sufficient for them, neither reducing nor exceeding what was their due. Those who had power and were enviable for their wealth I took good care not to injure. I stood casting my strong shield around both parties and allowed neither to triumph unjustly.

Solon's reforms attempted to strengthen the people against the elites while at the same time assuring the elites that their interests would not be radically threatened.

When Solon became Archon the basic political institutions of Athens consisted of two assemblies, the Ekklesia, which was open to all male citizens, and the Areopagus, which was the main executive and judicial institution. The Areopagus was composed of former Archons and was under elite control. Many Athenians were getting poorer during this period and had been excluded even from the Ekklesia, because they were trapped in debt peonage and servitude and had lost their rights as citizens. Aristotle noted that "all loans were made on the security of the person of the debtor until the time of Solon." This was the Athenian version of the cage of norms, with people turning into perpetually indebted, unfree pawns as a result of their worsening economic conditions. Solon understood that political balance in Athens would require regular citizens to participate in politics, but this wasn't possible when they were in a position of servitude, and certainly not when they were losing their citizenship. In Aristotle's words, "The mass of the people . . . had virtually no share in any aspect of government." So to ensure greater participation Solon canceled all contracts of debt peonage and passed a law that banned borrowing by using one's own person as security. He also made it illegal to enserf an Athenian. There was to be no more pawning. At a stroke Solon broke Athenians free from this part of their cage of norms.

But banning debt peonage wasn't enough when people were economically subservient to the elite. Greater liberty was necessary to make Athenians more active citizens so that they could get even more liberty. To this end, Solon sought to improve their access to economic opportunities. He implemented a land reform by uprooting the boundary markers of fields. These markers recorded the obligation of the tenants farming the land to pay a sixth of their produce. By eliminating them Solon in effect freed the tenants from the landowners, giving them the land they owned, and turning Attica, the region surrounding Athens, into a land of small farmers. Solon also eliminated restrictions on movement within Attica.

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establishing popular control over them. Thus once the Ekklesia was re-empowered, it featured greater popular participation. In order to achieve this objective, his reforms didn't just introduce greater representation in assemblies and political institutions, they also brought about changes in institutions and norms, such as the end of pawning, which changed the nature of society and made it more capable of acting collectively and controlling the elites and the state.

Aristotle agreed that empowering regular Athenians was the most important aspect of Solon's reforms and singled out the end of pawning, improved means of resolving conflicts, and access to justice. He remarked:

> These three seem to be the features of Solon's constitution which most favored the people: first and greatest, forbidding loans on security of a person's body; second, the possibility of a volunteer seeking justice for one who was wronged; third, and they say that this particularly strengthened the people, appeal to the court.

Here Aristotle is emphasizing the presence of some type of "equality before the law," where laws applied to everybody and common citizens could turn to the courts to seek justice. Though political representation in the Boule and membership of the Areopagus excluded the poorest, anyone could bring a lawsuit and have it heard, and the same laws applied to elites and ordinary citizens alike.

One of the most interesting ways in which Solon institutionalized popular control over the elites was via his Hubris Law. A surviving fragment states:

> If anybody commits *hubris* against a child (and surely one who hires commits hubris) or man or woman, whether free of slave, or if anybody commits anything unlawful against any of these, it has created *graphai* [public suits] *hubreos*.

This law thus created the crime of *graphai hubreos* in response to an act of hubris, behavior aimed at humiliation and intimidation. Remarkably, people could be charged with hubris against slaves, who were protected as well, and people were occasionally executed for repeated violations of the law. The Hubris Law enabled Athenians not only to control the elites, but also to enjoy liberty from the dominance of powerful individuals.

By banning debt peonage and ending the status of unfree pawns, Solon

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Found There. In the book, Alice meets and runs a race with the Red Queen. "Alice never could quite make out, in thinking it over afterwards, how it was that they began," but she noticed that even though they both appeared to be running hard, "the trees and the other things round them never seemed to change their places at all: however fast they went they never seemed to pass anything." Finally, when the Red Queen called a halt,

> Alice looked around her in great surprise. "Why I do believe we've been under this tree the whole time! Everything's just as it was!"
>
> "Of course it is," said the Queen, "what would you have it?"
>
> "Well in our country," said Alice, still panting a little, "you'd generally get somewhere else—if you ran very fast for a long time, as we've been doing."
>
> "A slow sort of country!" said the Queen. "Now, *here*, you see, it takes all the running *you* can do, to keep in the same place."

The Red Queen effect refers to a situation where you have to keep on running just to maintain your position, like the state and society running fast to maintain the balance between them. In Carroll's book all that running was wasteful. Not so in the struggle of society against the Leviathan. If society slacks off and does not run fast enough to keep up with the state's growing power, the Shackled Leviathan can quickly turn into a despotic one. We need society's competition to keep the Leviathan in check, and the more powerful and capable the Leviathan is, the more powerful and vigilant society must become. We need the Leviathan to keep on running too, both to expand its capacity in the face of new and formidable challenges and to maintain its autonomy, which is critical not only for resolving disputes and impartially enforcing laws but also for breaking down the cage of norms. This all sounds quite messy (all that running!), and that, we'll see, is often the case. Even though it's messy, we depend on the Red Queen for human progress and for liberty. But the Red Queen herself creates lots of swings in the balance of power between state and society, as one party and then the other pulls ahead.

The way Solon managed to activate the Red Queen effect illustrates these broader issues. His reforms not only set up the institutional basis for popular participation in politics, but also helped relax the cage of norms that both directly restricted liberty and prevented the sort of political participation that is necessary in the corridor. The Athenian cage wasn't as stifling as in many other societies

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we'll see, such as the Tiv later in this chapter. Nevertheless, it was still oppressive enough to block the path of the Red Queen. By breaking down part of that cage, Solon started to fundamentally change society and forge a different type of politics capable of supporting a budding Shackled Leviathan.

How to Ostracize If You Must

Solon was Archon for a mere (busy!) year after which he went into exile for ten years in order to avoid the temptation to fiddle with his laws. He opined that his laws should not be changed for a hundred years. It didn't quite work out like that. Instead, a repeated contest between elites and society ensued.

Solon had tried to move Athens toward a more capable state and institutionalize popular control while keeping the elites happy, or happy enough. But how happy is happy enough? Conflict soon broke out and led to a series of tyrants, in effect dictators, holding power sometimes with force, sometimes with popular support. Yet Solon's reforms were popular and had gained legitimacy so that all Athenians, even eager tyrants, had to at least pay homage to them, and in the process, they often deepened them.

Peisistratos, the first tyrant to follow Solon, is famous for the cunning ways in which he overthrew Athenian political institutions. On one occasion he deliberately wounded himself and duped the citizens into allowing him armed bodyguards for protection, which he then used to take control of Athens. On another occasion, having been deposed, he rode back into Athens in a chariot with a stately woman dressed as Athena and fooled people into thinking he had been chosen by the god herself to rule Athens. Once in power, however, Peisistratos didn't totally repudiate Solon's legacy, but instead continued to increase the state's capacity. He undertook monumental constructions in Athens and launched a series of measures to integrate Athens with the countryside in Attica. These innovations included rural circuit judges, a system of roads centered on Athens, and processions linking Athens with rural sanctuaries, as well as the Great Panathenaea festival. The religious festivals were a direct descendant of some of Solon's other measures because he had tried to restrict private elite festivals in favor of more communal public ones. Peisistratos also coined the first Athenian money.

This is the Red Queen in action. Solon started this dynamic path in earnest, and Peisistratos followed along it, even if the process involved wild gyrations. Tyrants, when they rose to power, gave the upper hand to the state and the elites. Yet they couldn't dominate society and the demos ("the people"), and they also vied

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its fearsome face. In a famous passage of the Federalist Papers, a series of pamphlets he wrote with Hamilton and John Jay in order to urge people to ratify the Constitution, Madison noted:

> In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

Though it is Madison's statement on the need for the government to control itself that receives most attention today, his initial emphasis, the critical importance of a government "to control the governed," highlights the second objective of the Federalists—the need to limit the involvement of the common people in politics. Many readers at the time recognized this and were alarmed by it, particularly since the document that was written in Philadelphia lacked any explicit statement of people's rights. They had a point. As Madison put it in a private letter to Thomas Jefferson shortly after the Constitution was drafted in 1787:

> Divide et impera, the reprobated axiom of tyranny, is under certain qualifications, the only policy, by which a republic can be administered on just principles.

Divide et impera—divide and rule—was the strategy to control democracy. Madison emphasized "the necessity . . . of enlarging the bounds of the general government [and] of circumscribing more effectively the State governments." The "general government," which means the federal government, was made less democratic through such devices as the indirect election of senators and the president. The need to circumscribe "more effectively the State governments" was rooted in the social turmoil of the 1780s, including revolts and uprisings by farmers and debtors, which Madison thought could jeopardize the whole project of American independence. In fact, an important reason that the Federalists favored the Constitution was that it would provide the federal government with the tax revenues to field a standing army. One consequence of this would be "to ensure domestic tranquility," as the prologue of the Constitution put it. Indeed, the first action of George Washington's federally funded army after the Constitution was ratified was to march west from the capital to suppress an anti-tax uprising, the Whiskey Rebellion.

Madison and the Federalists' state-building project generated a great deal of

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against all sorts of threats. That these can be provided is a consequence of the Red Queen. If all U.S. society at the time could manage was to set in stone hard limits on what the state should do, we would not get many of the benefits (and to be sure also not suffer some of the intransigencies) of our current state. Instead, the American state did evolve over the last 230 years and changed its capabilities and role in society. In the process, it became more responsive to the wishes and needs of its citizens. The reason why it could achieve this growth was because the shackles on its ankles meant that society could, with some caution, trust that even with a further increase in its power, it would not become completely unaccountable and display its fearsome face. Its shackled nature also meant that society could contemplate cooperating with the state. Yet in the same way that U.S. society at the end of the eighteenth century did not fully trust Madison and Hamilton without guarantees, society generally does not fully trust those striving to increase the state's capacity and reach. It will allow them to do so only as it increases its own capability to control the state.

The subsequent development of state-society relations in the nineteenth-century United States played out in the same messy, unpredictable way that is the hallmark of the Red Queen, as we saw in the Athenian case. As the centralized state became more powerful and more involved in people's lives, society tried to reassert its control. As society became more mobilized, the elites and state institutions reacted and attempted to wrest back control. Though we see this dynamic in many aspects of U.S. politics, the biggest fault line was the tension between the Northern and Southern states over slavery, which forced many distasteful compromises in the Constitution. This tension erupted into one of the deadliest conflicts of the nineteenth century after seven Southern states (out of the thirty-four states at the time) declared their secession, forming the Confederate States of America, after the inauguration of Abraham Lincoln in 1861. The secession was not recognized by the government, and the Civil War erupted on April 12, 1861, between the Union and the Confederacy. In the four years it lasted, the war destroyed much of the transport system, infrastructure, and economy of the South, and cost as many as 750,000 lives. The end of the war led to a powerful swing in the balance of power against the elites, especially Southern elites, as the slaves were freed (with the Thirteenth Amendment), their civil rights were recognized (with the Fourteenth Amendment), and their voting rights were recognized (with the Fifteenth Amendment). But this wasn't the end of the series of reactions. The Reconstruction Era, lasting until 1877, empowered the freed slaves and incorporated

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them into the economic and political system (and they participated with gusto, voting in great numbers and getting elected into legislatures). Yet the Redemption period that followed after Northern troops left the South disenfranchised them again, locked them into low-wage agriculture, and made them subject to a gamut of formal and informal repressive practices, including murders and lynchings at the hands of local law enforcement officers and the Ku Klux Klan. The pendulum did not swing back against the elites and in favor of the most disadvantaged segment of Southern society until after the civil rights movement got going in the mid-1950s. (And of course we are nowhere near the end of history as far as the evolution of American liberty is concerned.)

Though the standard narrative paints a picture in which the U.S. Constitution protects our rights, there was nothing pretty about the way those rights came to be protected for most Americans—and we owe these rights as much to society's mobilization as to the document drafted in Philadelphia in 1787. That's just in the nature of the Red Queen.

Chiefs? What Chiefs?

So the Red Queen effect isn't pretty, and as we'll see later in the book, all that running is rife with danger. But when it works, it creates conditions for the type of liberty that Athenians and Americans have enjoyed. But then, why do many societies remain with the Absent Leviathan? Why not attempt to create centralized authority and shackle it? Why not unleash the Red Queen effect?

Social scientists have typically linked the failure of centralized authority to emerge to the absence of some key conditions that made it worthwhile to have a state, such as high population density, established agriculture, or trade. It has also been argued that some societies didn't have the requisite know-how to create states. According to this view, building state institutions is primarily an "engineering" problem of bringing in the right expertise and institutional blueprints. Though these aspects all play a role in some contexts, another factor is often more important—the desire to avoid the fearsome face of the Leviathan. If you fear the Leviathan, you will prevent the accumulation of power and resist the social and political hierarchy that is necessary to launch it.

We can see a clear instance of this fear blocking the rise of the Leviathan in Nigeria's history. Away from Lagos and the coastal lagoons, you enter Yorubaland, the home of the Yoruba people. The A1 heads north first to Ibadan, and then if

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the reality that politically powerful financial interests came to dominate and benefit from the responses to the crisis. The scene was set for a precipitous drop in people's trust in institutions, paving the way for the rise of populist movements.

The ascendancy of populism in turn corrodes politics in the corridor. The Red Queen is more likely to get out of control when the competition between state and society (and between different segments of society) becomes more polarized, more zero-sum. The rhetoric of populist movements, painting everyone outside the movement as enemies and part of the scheming elites holding down the people, contributes to such polarization. As trust in institutions declines, it becomes harder for them to broker compromise.

Our analysis also highlights why, even if defined by important bottom-up elements and even if claiming to represent the people, populist movements will ultimately lead to despotism when they come to power. This is exactly for the same reasons we emphasized in our discussion of the rise of the Nazi regime—the populist claim that checks on their power will help the scheming elite, and their focus on taking control of the state makes it difficult for shackles on state power to remain effective after a populist takeover.

Does this mean that any political movement claiming to speak for the people and opposed to an all-powerful elite is populist and likely to destabilize life in the corridor? Certainly not. Movements committed to working with the institutions of the corridor, which are today almost always democratic institutions, can contribute to the flourishing of the Red Queen, rather than turning it into a destabilizing force. They can also significantly help the more disadvantaged members of society. Recall from Chapter 10 how the American civil rights movement, though it recognized the adversarial attitudes of many elites, attempted to use the courts and federal government to further its agenda, rather than rejecting them outright. The defining characteristic of populist movements that makes them contribute to a zero-sum Red Queen is their refusal to accept constraints and compromise, and it is this feature that makes them ultimately unlikely to redress imbalances in society. They are about creating new dominances, not ending them.

Who Likes Checks and Balances?

One telling set of examples illustrating the forces shaping modern-day populism and its implications comes from the experiences of several Latin American countries, including Peru, Venezuela, and Ecuador. Many of these countries hold regular elections and have some of the trappings of democratic institutions, even if

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How was this possible? Both the Nazis and Pinochet's dictatorship dismantled constraints on the power of the police and the army; imprisoned, exiled, or killed their adversaries; viciously repressed all societal organizations; and generally wreaked havoc. How come less than two decades later, they were back to balancing the powers of state and society?

However bloody and intent on subjugating society the German and Chilean dictatorships might have been, both countries started inside the corridor. Even after they spun out of the corridor, many of the factors that had made their societies active and mobilized remained in place. These factors included norms of societal mobilization and belief that elite and state institutions can be made accountable. They included memories of times when common people were organized and empowered, laws applied to everybody, and the Leviathan was shackled by society. They included, too, blueprints for building responsive and constrained bureaucratic institutions. Take Germany. Although elements of despotic control were important during the period of absolutism after 1648 and during Bismarck's chancellorship, even in these periods Germany had institutional characteristics capable of shackling the Leviathan. For one, most of Germany, if not Prussia, had deep Carolingian roots. The state and representative institutions inherited from this history were never abolished completely, even in the midst of Prussian absolutism. They bounced back in the nineteenth century, particularly after the 1848 revolutions. These legacies were important in allowing the Social Democrats to become the largest party in the pre–World War I Reichstag. Though the Reichstag's powers were restricted by the Kaiser and the Prussian elite dominated the upper house, these still provided the basis for an institutional architecture inside the corridor. These historical elements were reinforced and further developed by the Weimar Republic. As a result, even after almost two decades of moving away from the corridor, Germany was still close to it. Compare this to China, which has been in the orbit of the Despotic Leviathan for so long that the corridor is not even on the horizon and the country looks very unlikely to move within range anytime soon.

This perspective thus suggests that, disastrous though it is to have the Red Queen out of control, if the balance between state and society can be rebuilt before too long, moving back into the corridor is a possibility.

But this doesn't imply that getting back into the corridor is easy or automatic. Had it not been for Germany's complete defeat in World War II and the subsequent efforts by the Americans and (some of) the European powers to build democracy in Germany, we don't know how things might have played out (in fact, we suspect, Germany wouldn't be the democratic, peace-loving, freedom-respecting country it

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Chapter 14

INTO THE CORRIDOR

Black Man's Burden

> Awakening on Friday morning, June 20, 1913, the South African Native found himself, not actually a slave, but a pariah in the land of his birth.

So begins Sol Plaatje's book *Native Life in South Africa*. Plaatje was a black journalist, writer, and political activist, one of the founders in 1912 of the South African Native National Congress (SANNC), a social movement that turned into the African National Congress (ANC) a decade later. The SANNC formed in reaction to the 1910 Union of South Africa, which brought together the former British colonies of the Cape and Natal with the Dutch-speaking Boer (Afrikaner) Republics of the Orange Free State and Transvaal after the conclusion of the Boer Wars. In the Cape, political rights were determined on the basis of wealth or property, not race. But the Boer Republics had a white-only franchise. The Union had been precipitated by the triumph of the British Empire in the Second Boer War which lasted from 1899 to 1902. During the war the British had criticized the Afrikaners' harsh treatment of black Africans, creating hope that the postwar order might give black Africans more rights. So there was a window of opportunity for institutional change at war's end. Yet the newly formed Union of South Africa ended up adopting the harshest common denominator. The more liberal franchise of the Cape

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was not extended elsewhere, and was gradually eroded. Representation was eventually denied to all blacks.

The lack of political power had dire consequences. It allowed for the passage of the Native Land Act in 1913, which paved the way for blacks, or "natives," in Plaatje's words, to become "pariahs" in their own country. Plaatje used another striking phrase, "black man's burden," when he observed:

> "The black man's burden" includes the faithful performance of all the unskilled and least paying labour in South Africa, the payment of direct taxation to the various Municipalities . . . to develop and beautify the white quarters of the towns while the black quarters remain unattended . . . [and] taxes . . . for the maintenance of Government Schools from which native children are excluded.

But that's not how whites saw it. During the debate in the parliament of the Union of South Africa on the law, Mr. van der Werwe, member from Vredefort in the Orange Free State, noted approvingly that the "native would only be tolerated among the whites as a laborer," while Mr. Keyter from nearby Ficksburg argued that the Free State "had always treated the coloured people with the greatest consideration and the utmost justice" and the Native Land Act was a "just law" that "told the colored people plainly that the Orange Free State was a white man's country, and that they intended to keep it so." At this point the record of the proceedings reports "hear, hear" as members voiced their support for Mr. Keyter's interpretation of justice. To ensure the Free State remained white, the native was "not going to be able to buy land there or to hire land there, and that if he wanted to be there he must be in service." In support of the law another member, Mr. Grobler, chimed in arguing that "it was impossible to delay the solution of the Native problem." Plaatje remarks in a note reproduced in his book, "By a 'solution to the Native Problem,' 'Free' State farmers generally mean the re-establishment of slavery."

Plaatje traveled the country witnessing the implementation of the act and how it forced black landowners and tenants off their lands in 87 percent of South Africa, the portion that made up the "white man's country." The experience of Kgobadi, a black farmer who had previously been making an income of 100 pounds a year, is typical. On June 30, 1913, he was given a letter ordering him to "betake himself from the farm of the undersigned by sunset of the same day, failing which his stock would be seized and impounded, and himself handed over the authorities for trespassing on the farm." He was offered a position paying 30 shillings a

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and "the right to a good education." FDR had in the past been willing to abridge some of these rights and freedoms, for example, with the internment of Japanese citizens from 1942 to 1945, and he had worked with Jim Crow laws in the South. (One African American's reaction to FDR's four freedoms is telling: "White folks talking about the Four Freedoms, and we ain't got none.") His conversion to the importance of rights signals how the mood was changing on both sides of the Atlantic.

What is remarkable in these statements are two tenets of the conception of rights: they are universal and general (and in this they go far beyond the Declaration of Independence, which did not cover slaves and was unclear on women), and they recognize the importance of individuals being able to realize their choices. Thus threats of violence and restrictions on freedom of thought or speech against any group are violations of rights, and so is preventing people from exercising their religious activities (or lack thereof) or sexual preferences. But equally important, taking away the means of earning a decent living is a violation as well, because this too will create a form of dominance. This latter dominance is rooted not just in the fact that abject poverty would make it impossible for people to pursue a meaningful life, but also in the realization that under such circumstances, employers can demand work in unpleasant, demeaning, or highly disempowering conditions (remember the Dalit manual scavengers in Chapter 8).

This conception of rights is crucial for the liberty not just of men and the majority; but of women; of religious, ethnic, and sexual minorities; and of people with disabilities and impairments. Enshrining these rights creates clear limits on what the state and powerful elites in society can and cannot do. Taking away the ability of people to organize, argue their case, or pursue their way of life is beyond the limits of what anybody can do when these rights are clearly protected. So is creating conditions that force people to be economically subservient and dominated.

Herein lie the beginnings of a transformative power for society. If clearly delineated boundaries on what the state cannot do are recognized universally, encroachments of these boundaries can create the spark for a broad-based societal mobilization to stop the state's creeping overreach. Recognizing minority rights as universal is crucial, because without such recognition, only the specific minorities whose rights are currently being violated will complain and protest—with no mobilization or response, as in the disorganized, fragmented societies in India (Chapter 8) and Latin America and Africa (Chapter 11). Universal recognition of rights creates the basis for broad coalitions.

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yoke of a Despotic Leviathan or surviving under fear, violence, and dominance without any state institutions to protect them. Nevertheless, living with the (shackled) Leviathan is a work in progress. Our argument has been that the key to making this more stable and less likely to spin out of the corridor is to seek to create and re-create the balance of power between state and society, between those who are powerful and those who are not. The Red Queen effect is there to help us, but ultimately society's power is about society's organization and mobilization.

In October 2017, women started speaking up about the sexual harassment and assault they had been subjected to by men with power over them. It began with the allegations against the towering movie mogul Harvey Weinstein. On October 5, actress Ashley Judd added to the accusations. On October 17, actress Alyssa Milano adopted a term coined by activist Tarana Burke in 2006 and tweeted, "If you've been sexually harassed or assaulted, write 'me too' as a reply to this tweet." An avalanche of tweets followed and a social movement was born. Even if we are nowhere near full equality and protection for women around the world, because people have rallied against the violations of these most basic rights, it has become quite a bit more difficult for the powerful to harass, demean, and assault women in government, companies, and schools. Laws started to change in response, for example, with New York State's new sexual harassment prevention law.

Human progress depends on the expansion of the state's capacity to meet new challenges and combat all dominances, old and new, but that won't happen unless society demands it and mobilizes to defend everybody's rights. There is nothing easy or automatic about that, but it can and does happen.

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