

Grasping Reality with Both Hands

The Semi-Daily Journal of Economist J. Bradford DeLong: Fair, Balanced, Reality-Based, and Even-Handed

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September 14, 2010

James Scott, "Legibility," Flavius Apion, Anoup, the Emperor Justinian, Robin of Locksley, Rebecca Daughter of Mordecai, King Richard, and Others..

[Cato Unbound: James Scott: The Trouble with the View from Above.](#)

A comment:

In 542 AD the late Roman (early Byzantine?) Emperor Justinian I wrote to his Praetorian Prefect concerning the army--trained and equipped and paid for by the Roman State to control the barbarians and to "increase the state." Justinian was, Peter Sarris reports in his *Economy and Society in the Age of Justinian*, upset that:

certain individuals had been daring to draw away soldiers and *foederati* from their duties, occupying such troops entirely with their own private business.... The emperor... prohibit [ed] such individuals from drawing to themselves or diverting troops... having them in their household... on their property or estates.... [A]ny individual who, after thirty days, continues to employ soldiers to meet his private needs and does not return them to their units will face confiscation of property... "and those soldiers and *foederati* who remain in *paramonar* attendance upon them... will not only be deprived of their rank, but also undergo punishments up to and including capital punishment."

Justinian is worried because what is going on in the country he rules is not *legible* to him. Soldiers--soldiers whom he has trained, equipped, and paid for--have been hired away from their frontier duties by the great landlords of the Empire and employed on their estates and in the areas they dominate as bully-boys. One such great landlord was Justinian's own sometime *Praefectus Praetorio per Orientem* Flavius Apion, to whom one of Flavius's tenants and debtors, one Anoup, wrote:

No injustice or wickedness has ever attached to the glorious household of my kind lord, but it is ever full of mercy and overflowing to supply the needs of others. On account of this I, the wretched slave of my good lord, wish to bring it to your lordship's knowledge by this present entreaty for mercy that I serve my kind lord as my fathers and forefathers did before me and pay the taxes every year. And by the will of God... my cattle died, and I borrowed the not inconsiderable amount of 15 *solidi*.... Yet when I approached my kind lord and asked for pity in my straits, those belonging to my lord refused to do my lord's bidding. For unless your pity extends to me, my lord, I cannot stay on my *ktema* and fulfill my services with regard to the properties of the estate. But I beseech and urge your lordship to command that mercy be shown to me because of the disaster that has overtaken me...

The late Roman Empire as Justinian wished it to be would consist of (a) slaves, (b) free Roman citizens (some of whom owned a lot of land), (c) soldiers, (d) bureaucrats, and (e) an emperor. The slaves would work for their masters. Slaves along with their citizen masters and non-slaveholding citizens would farm the empire (some of the citizens owning their land; some renting it). All would be prosperous and pay their taxes. And the emperor would use the taxes to pay the soldiers who dealt with the Persians, the Huns, the Goths, and the Vandals; to fund the building of Hagia Sophia and other works of architecture in Constantinople; and to promote the true faith and extirpate heresy. If the countryside were *legible* to him, that is how things would be--slaves and citizens in their places, landlords and tenants in their mutually-beneficial contractual relationships, all prosperous and all paying their taxes to support the empire.

But Justinian knows very well that the countryside is not legible to him. The contracts that Flavius Apion makes with his tenants are made under the shadow of the threat that if Flavius Apion does not like the way things are going he will send a *bucellarius* to beat you up. Anoup is not pointing out to Flavius Apion that their landlord-tenant relationship is a good thing and that keeping him as a tenant rather than throwing him off the land for failure to pay the rent is in both their interests. Instead, Anoup is calling himself a slave (which he is not). Anoup is calling Flavius Apion a lord (which he is not supposed to be). Anoup is appealing to a long family history of dependence of himself and his ancestors on the various Flavii Apionoi and Flavii Strategioi of past generations. Justinian thinks that things would be better served if the countryside were properly legible to him and he could enforce reality to correspond to the legal order of slaves and citizens, tenants and landlords interacting through contract, and taxpayers. Flavius Apion would prefer that the order be one of proto-feudalism: that all the Anoups know and understand that they are at his mercy, and that the emperor is far, far away. And we don't know what Anoup thinks. We do know that does not sound as though he experiences the lack of legibility of the countryside to the emperor and his state as a full and complete liberation. And we do know that the Emperor Justinian was gravely concerned about the transformation of his soldiers into *bucellarii*, into the dependent bully-boys of the landlords--both because it meant that they were not on the borders where they belonged and because it disturbed what he saw as the proper balance of power in the countryside and what he saw as the emperor's justice.

Justinian's big (and to him insoluble) problem was that the Flavius Apion whose bully-boys beat up his tenants when they displeased was the same Flavius Apion who headed Justinian's own bureaucracy.

Thus when James Scott speaks of how local knowledge and local arrangements having the ability to protect the people of civil society from an overmighty, blundering state, I say "perhaps" and I say "sometimes."

It is certainly the case that the fact that Sherwood Forest is illegible to the Sheriff of Nottingham allows Robin of Locksley and Maid Marian to survive. But that is just a stopgap. In the final reel of *Ivanhoe* the fair Rebecca must be rescued from the unworthy rogue Templar Sir Brian de Bois-Guilbert (and packed offstage to marry some young banker or rabbi), the Sheriff of Nottingham and Sir Guy of Gisborne must receive their comeuppance, the proper property order of Nottinghamshire must be restored, and Wilfred must marry the fair Rowena--and all this is accomplished by making Sherwood Forest and Nottinghamshire legible to the true king, Richard I "Lionheart" Plantagenet, and then through his justice and good lordship.

A state that makes civil society legible to itself cannot protect us from its own fits of ideological terror, or even clumsy thumb-fingeredness. A state to which civil society is illegible cannot help curb roving bandits or local notables. And neither type of state has proved terribly effective at constraining its own functionaries.

In some ways, the "night watchman" state--the state that enables civil society to develop and function without distortions imposed by roving bandits, local notables, and its own functionaries, but that also is content to simply sit back and watch civil society--is the most powerful and unlikely state of all.

Brad DeLong on September 14, 2010 at 10:40 AM in [History, Philosophy: Moral, Political Economy](#) | [Permalink](#)

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Comments

[Robert Waldmann](#) said...

Ah yes Apion one of the bad guys in Count Belisarius by Robert Graves.

I'd note the rather long list of Justinian's uses for taxes " to pay the soldiers who dealt with the Persians, the Huns, the Goths, and the Vandals; to fund the building of Hagia Sophia and other works of architecture in Constantinople; and to promote the true faith and extirpate heresy. " I might add that "increase the state" sure didn't mean "protect the state" as Justinian sent his soldiers do conquer North Africa and Italy.

The tyranny of Apion sure doesn't seem to me to be one of the innumerable proofs that libertarians are wrong -- I don't think it was easy back then to be any farther from libertarian than Justinian (with improved technology more effective tyranny is possible).

When land is the only real wealth, men at arms are very key to wealth and power. Less so when there is active commerce. One aspect of the change from the Roman empire to Feudal Europe was reduced use of money. It is hard for the emperor to collect taxes in grain. That might have been the point.

By the way, did you ever read a very interesting article entitled "Princes and Merchants" written by a couple of guys whose names I forget ?

Could it be that the great power of Apion over Anoup had something to do with the elimination of all institutions laws and rights which interfered with collecting taxes ? Might it be that the Apion's became extremely wealthy because the ability to stare down tax collectors gave them a great competitive advantage ?

[Reply September 14, 2010 at 10:57 AM](#)

[christofay](#) said...

Where the banks are Apion:

"The Great American Stickup': It Was The Economy, Stupid"

The facts are otherwise. It is not conspiratorial but rather accurate to suggest that blame can be assigned to those who consciously developed and implemented a policy of radical financial deregulation that led to a global recession. As President Clinton's Treasury secretary, Rubin, the former cochair of Goldman Sachs, led the fight to free the financial markets from regulation and then went on to a \$15-million-a-year job with Citigroup, the company that had most energetically lobbied for that deregulation. He should remember the line from the old cartoon strip Pogo: "We have met the enemy and he is us."

For it was this Wall Street and Democratic Party darling, along with his clique of economist super-friends -- Alan Greenspan, Lawrence Summers, and a few others -- who inflated a giant real estate bubble by purposely not regulating the derivatives market, resulting in oceans of money that was poured into bad loans sold as safe investments. In the process, they not only caused an avalanche of pain and misery when the bubble inevitably burst but also shredded the good reputation of the American banking system nurtured since the Great Depression.

If we accept a broad dispersal of blame or a sense of inevitability -- or simply ignore the details, since they can be so confusing -- we lose the opportunity to rearrange our institutions to prevent such disasters from happening again.'

http://www.huffingtonpost.com/robert-scheer/the-great-american-sticku_b_715928.html

[Reply September 14, 2010 at 11:51 AM](#)

[Petey](#) said...

"Thus when James Scott speaks of how local knowledge and local arrangements having the ability to protect the people of civil society from an overmighty, blundering state, I say "perhaps" and I say "sometimes."

Well, sure.

Local knowledge and local arrangements are best thought of as short-term buffers to slow the Emperor's desire for complete control.

No sane person wants a state that makes everything 100% perfectly legible to itself. But a sane person does want a state that slowly, and with accountability to local knowledge, makes civil society legible to itself, so it can thus function as a better government.

The 4th Amendment to the Constitution is a nice attempt to grapple with the issue, I think, even though it doesn't specifically require the Feds to get a LOCAL judge to sign off on probable cause...

(I do wish you'd enable the bold and italic tags in the comment section, Brad. I hate marking for emphasis with ALL CAPS, and I've lost the ability to write in short form without bold and italics.)

[Reply September 14, 2010 at 11:53 AM](#)


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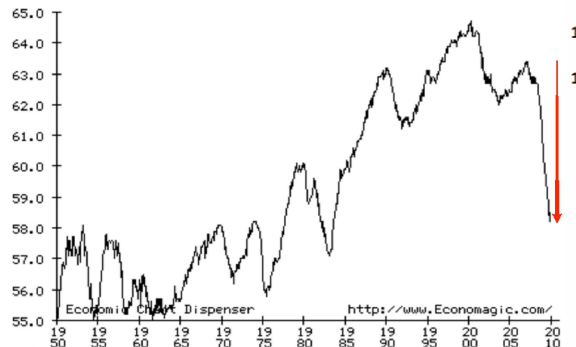
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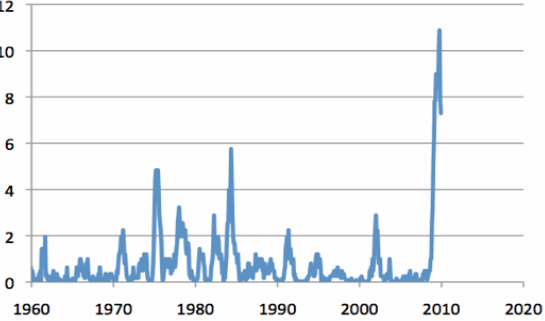


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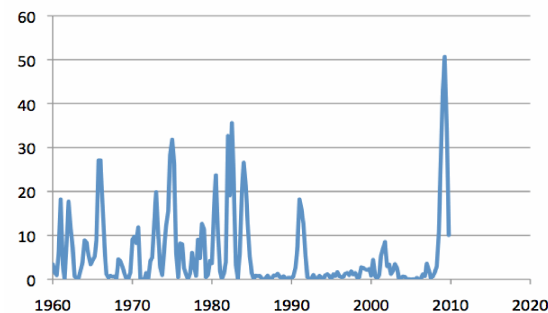
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Eight-Quarter Changes in Real GDP and Unemployment since 1970

