

# Poking Hobbes in the Eye: A Plea for Mechanism in Anarchist History

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Thomas Hobbes famously described life in the “state of nature” as “solitary, poor, nasty, brutish and short.” According to him, under anarchy humanity is engaged in a “war of all against all.” Government provides an exit from this barbaric world and an entrance to a civilized one. It follows that no sensible person would choose to live under anarchy if he had the option to live under government.

Hobbes’ characterized anarchy this way in 1651. His characterization stuck. Today the view Hobbes expounded describes the vast majority of people’s thinking about statelessness. Anarchy as chaos—or at least as inevitably inferior to government—is conventional wisdom.

What’s remarkable about this wisdom is that it’s demonstrably false.

A large and growing literature on self-governance finds that “real-world” anarchy needn’t be dire. Nor must it be plagued by endless conflict (see, for instance, the work surveyed in Powell and Stringham 2009). On the contrary, many stateless societies display significant “civilization.” Some are more orderly, peaceful, and produce better material conditions than their state-governed counterparts (see, for instance, Leeson 2007; Leeson and Williamson 2009).

Enter James Scott’s (2009) book, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. Scott’s central thesis is simple and surely right: some people choose to live without government. And that choice is sensible.<sup>1</sup>

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Governments are wont to prey on their citizens. They engage in conscription, slavery, taxation, forced labor, and costly interstate conflicts. If state predation is severe enough, or one's tolerance for state predation is low enough, rather than living under government, a person may choose, quite rationally—and quite literally, to head for the hills. Here he can live outside the state's reach. To illustrate this point and the strategies of state repellency that those who make this choice employ, Scott examines the Zomia people who inhabit the hills of southeast Asia.

I see Scott's book as giving Thomas Hobbes a much-needed, and much-deserved, "poke in the eye." My goal in this note is consider how to make that "poke" more effective. My plea for anarchist histories is simple: focus on *mechanisms*.

If people choose to live under anarchy instead of government, this strongly suggests that for them life under anarchy is *less* solitary, poor, nasty, brutish and short than life under government—or at least not more so. This is what Scott's discussion suggests in the case of the hill people of southeast Asia.

But there's a puzzle here. Return to Hobbes. Hobbes didn't pull his imagined description of anarchy, and the resultant notion of government superiority, out of thin air. He grounded it in a reasonable argument. The crux of that argument is found in what the parlance of modern game theory calls a "prisoners' dilemma."

Here's how that dilemma looks. We can think of people in the state of nature as having two basic choices in their interactions with others: they can "cooperate" with the persons they interact with or they can "defect" in those interactions. The former refers to keeping one's promises, respecting other persons' lives and belongings, and so on. The latter refers to the opposite kinds of behavior.

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<sup>1</sup> I've made a similar point myself in the context of statelessness in contemporary Somalia. See Leeson (2007).

If both you and the person you interact with behave cooperatively with the other, both of you do well. There's "peace." However, if you defect against the person you interact with but he cooperates, you do even better while he does much worse. There's "plunder." Likewise, if the person you interact with defects against you but you cooperate, he does better but you do much worse. There's again "plunder." If both of you defect in your interactions with each other, both of you do poorly. There's "war." But neither person does as poorly as when he's the "sucker"—the person who cooperates when the other defects.

It turns out that in such a "game," both you and the person you interact with always find it in your interest to defect in your interactions rather than to cooperate. No matter what the other person does, you do best for yourself by behaving uncooperatively. The result is an uncooperative world—a world of perpetual war in which both you and the persons you interact with are worse off.

There's a solution to this dilemma, however. If some external agency with a monopoly on the legitimized use of force existed—call it Leviathan—that agency could use its might to compel everyone to cooperate. Then neither you nor the persons you interact with have to worry about other persons defecting. In this way Leviathan can replace the barbarism of anarchy with the civilization of government.

The basic logic of the prisoners' dilemma—though, as I discuss below, not the conclusion commonly drawn from it—seems pretty much right. People commonly confront situations of potential conflict. That conflict can be initiated unilaterally, such as when one person seeks to steal your car, or bilaterally, such as when you and the person you forge a contract with seek to "get the upper hand" in the deal.

To overcome such conflicts peaceably, people need some *mechanism* for producing social order. If no such mechanism exists, something like what Hobbes described in the case of anarchy is likely to result. People will end up fighting each other. Or, to prevent that situation, they will become recluses and avoid interpersonal interactions altogether, living “solitary” and thus “poor” lives instead.

Anarchy skeptics, such as Hobbes, are skeptical of the claim that anarchy is a viable alternative to the state precisely because they doubt the existence of mechanisms other than government that could solve the prisoners’ dilemma-type problems that individuals in any society routinely confront. In their view government is the *only* mechanism that can provide effective governance. Indeed, they view *government* and *governance* as synonyms.

But they’re not. The former is a subset of the latter. *Governance* refers to some set of rules that regulate interpersonal interactions and institutions for enforcing those rules. *Government* is one particular (and in the modern world, a particularly popular) mechanism of governance. It’s one based on a monopoly on the legitimized use of force. But there are plenty of other sources of social rules—of “law”—and plenty of other sources of rule enforcement—of “order”—that have nothing to do with government.

Even Scott, who clearly doesn’t view government and social order as synonyms, treats the concepts of government and governance as if he did. Consider his book’s title: *The Art of Not Being Governed*. Are the hill people of southeast Asia really ungoverned?

I hope not. If they are, this would cast serious doubt on Scott’s central claim that those people choose to live outside the state. Given the logic of the prisoners’ dilemma described above, if living outside the state means living without any governance at all—without any rules or institutions of their enforcement, and thus without any “law and order”—it would seem that

Hobbes' conclusion about anarchy is correct. Life will indeed be solitary, poor, nasty, brutish and short. And if Hobbes' conclusion about anarchy is correct, it's difficult to believe that any sensible person would opt to live without government.

There's a way out of this conundrum. That way is this. The logic of the prisoners' dilemma is correct: in *all* societies people confront problems of conflict that must be overcome.<sup>2</sup> But government isn't the only mechanism for overcoming them. Other mechanisms of governance may do the job just as well—perhaps even better. To distinguish these mechanisms of governance from state-supplied ones, we might call them mechanisms of “private governance.”

What are the mechanisms of private governance that can support social order and thus render anarchy, at least in principle, preferable to government? Unfortunately, in the case of the hill people of southeast Asia who he considers, Scott doesn't tell us. But if Scott is right that these people consciously chose to live outside the state—and his work leaves little doubt that they did—it stands to reason that they must have relied on some mechanisms of private governance to prevent hill-life without government from becoming fodder for the Hobbesian worldview.

To be persuasive, arguments that want to construe anarchy as a viable alternative to government must identify and analyze mechanisms of private governance. These mechanisms are the means by which the logic of the prisoners' dilemma under anarchy is overcome. They are the potential source of a reasonable foundation for the claim that life under anarchy needn't be worse than, and may even be better than, life under government.

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<sup>2</sup> Note that in beginning this way, we begin by agreeing with Hobbes and nearly everyone else that conflict is a genuine and universal social problem. In doing so we found our position on decidedly non-utopian grounds, removing from discourse this common red-herring which crops up in conversations about anarchy.

Social norms are one prevalent example of such mechanisms (see, for example, Leeson and Coyne 2011). When you first meet someone (in the United States, at least), you extend your hand and introduce yourself. You don't ignore your counterpart or curse him. There's no state-crated law mandating or enforcing this social rule. Yet nearly everyone follows it.

This "greeting rule" emerged "spontaneously" as a product of interactions over time because it facilitates cooperative interaction.<sup>3</sup> This rule is enforced through ostracism and gossip. "Cold fish" are disliked and distrusted. When we can, we avoid them. Or we say unkind things about them behind their backs. This gives persons strong incentives to greet others in the expected manner. There's no government here. But we have a kind of "law and order" of first interactions nonetheless.

Norms aren't the only mechanisms of private governance. Stateless societies have developed a large variety of others to cope with the problem Hobbes posed. Consider Gypsy societies, which Scott invokes numerous times to draw parallels to his hill people.

Gypsy societies are stateless. Their members are historically nomadic. And one can reasonably think about their decision to live apart from the governments in the areas they populate as a sensible, consciously made choice given how those governments have treated them.

Gypsy societies, like all others, require some governance mechanisms to function—some basis for "law and order." Since they live outside the state, their governance mechanisms can't be government. They must be private.

One such mechanism in Gypsy societies is *Romaniya*, or "Gypsy law" (see, for instance, Leeson 2010). That law is based on Gypsies "spiritual" beliefs. In very broad strokes those beliefs involves the upper half of the human body being spiritually "pure" and the lower half

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<sup>3</sup> On the concept of "spontaneous order," see Hayek (1948).

being spiritually “polluted” and thus carefully avoided. Gypsies leverage this belief system to define and help enforce basic social rules governing their interactions.

For example, under *Romaniya* stealing from a fellow-Gypsy puts one in the same state of spiritual contamination as unguarded contact with a woman’s skirt (which is polluted owing to its contact with her lower half). The fear of “supernatural rule-breaking” is brought to bear on “wordly rule-breaking,” recruiting spiritual beliefs to promote cooperation in corporeal affairs.

Many Gypsy communities also have a private court system called a *kris*. Here Gypsy elders adjudicate conflicts between other Gypsies, such as those emerging from economic partnerships, and render judgments backed by the threat of social ostracism (a punishment that itself leverages Gypsy spiritual beliefs since unguarded contact with the non-Gypsy world into which an ostracized person is necessarily thrust also contaminates him spiritually according to Gypsy belief).

Gypsies aren’t not governed, to use Scott’s terminology. They’re not governed by government. But that requires them to develop alternative governance mechanisms—private ones—which are found in *Romaniya* and the *kris*.

The fact that Gypsy societies, like many of Scott’s hill societies, are basically acephalous and “egalitarian” doesn’t alter this fact. If anything, this makes more elaborate mechanisms of private governance more important to their functioning. The say-so of an unquestioned leader—at least when that leader is voluntarily abided—may be considered a mechanism of private governance. But when such a leader is absent, other, more complex mechanisms of private governance become more important.

Consider another example: the case of 18<sup>th</sup>-century Caribbean pirates. Many of these fellows came to pirating having spent time on English merchant vessels or ships of the Royal

Navy. On those vessels authority was concentrated in the hands of captains and a few smaller officers. The result was an autocratic organization that often led to seaman abuse at the hands of unscrupulous captains.

To escape this predation, some legitimate sailors turned to piracy. This gave them the opportunity to live outside the state and its maritime manifestations. Thus there's some similarity to situation of the hill peoples that Scott describes.

As pirates, such sailors were of course criminals. Thus they couldn't rely on government to create or enforce social order among them. Yet "law and order" was necessary if these sailors wanted to pirate at all. A pirate crew whose members stole from one another, fought constantly, and so on wouldn't have lasted long.

To address their need for governance without government, pirates pioneered a private system of constitutional democracy (see, for instance, Leeson 2009). Pirate ships required captains and other officers, just like legitimate ships did. But to prevent these persons from abusing their authority as they frequently did on legitimate vessels, pirates elected and deposed them democratically.

What's more, to make the laws governing their societies explicit, pirates codified them in written constitutional documents they called "articles." These articles prohibited inter-crewmember theft, violence, and so on, and stipulated penalties—to be administered by democratically elected officers called quartermasters—for breaking them.

Pirates' private governance system was democratic and "egalitarian." And it was so by design. But that doesn't mean that mechanisms of governance were absent in pirate societies. On the contrary, democracy was a key mechanism of pirates' private governance. When hierarchy is more-or-less absent, this necessitates different mechanisms of private governance to avoid the

Hobbesian Jungle. It doesn't preclude the need for such mechanisms, which remains as important as ever.

As a final example, consider the American pioneers. Lured by tales of wealth and perhaps eager to escape the thumb of government in settled parts of the United States, in the early 19<sup>th</sup> century American pioneers headed westward to start new lives. Government was at this point unestablished in the American West. Its absence is largely responsible for the popular perception of the early American West as "wild" and "lawless."

But popular perception is wrong. In lieu of state-supplied governance, pioneers developed mechanisms of private governance to help them secure social cooperation in formally ungoverned territories (see, for instance, Anderson and Hill 2004). They created "land clubs" to privately define and enforce property rights in unowned land. They created "cattlemen associations" to defend against cattle rustlers—thieves who sought to exploit the absence of formal government. And they created mining camps that delineated the "laws" of mining where conflicting claims were likely to arise.

The result was a tame and orderly West, not a violent and disorderly one. Mechanisms of private governance filled the void left by absence of formal government. There was no *government*. But there was plenty of *governance*.

Returning to Scott's book: Scott argues that the state-based society was undesirable for many inhabitants of southeast Asia. Thus these persons chose to head for the hills and live without government. My complaint is that this argument skips a crucial step. What mechanisms of private governance existed in hill-based, stateless societies that made these societies capable of functioning, and thus conceivably preferred to those available under government? In passing over this step in near silence, Scott's poke in Hobbes' eye ends up being producing a rather

glancing blow. Then again, poking Hobbes in the eye is my desired outcome of Scott's book, not Scott's.

But my point is a more general one: compelling anarchist histories must, in my view, focus on *mechanisms* of private governance under anarchy. This isn't only the source of more powerful pokes in Hobbes' eye. It's the source of improved understanding about how people in most of the world, for most of its history, have lived.

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