

BOOK REVIEW

James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press (1998).

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One could read *Seeing Like a State* with profit from a variety of disciplinary perspectives. Constitutional and political theory, micro- and development economics, social and economic history, (theoretical) sociology and sociological systems theory come at once to mind. It therefore does the book injustice to review it, as I shall do, from only one of the possible perspectives, that of legal theory, in particular of a legal (or, if you will, normative) pluralist bent.

I first learned of Scott's book from a lecture on land law reform in Africa that Sally Moore gave in Groningen in 1998 (published as Moore (1998)). She described the theme of her lecture as being about "the way ... little people [pursuing "personal and local concerns"] can dismember state policy" and referred in this context to Scott as an important source of inspiration. So, not wanting to miss anything that receives such praise from her, I went right out and bought the book. I have not been disappointed.

Seeing Like a State offers the reader not so much an argument as a complex and fundamental *aperçu*, that in the course of the book gets stated, embroidered upon and illustrated, and whose implications for a number of subjects are suggestively discussed, but which in the end can be reduced to a single proposition. Scott reveals himself in the book, in other words, as a very eclectic hedgehog, but a hedgehog nevertheless.

The single proposition to which *Seeing Like a State* can be reduced is that, in order to make social reality comprehensible and controllable, it gets reduced in the vision of social engineers to those few elements they deem relevant, manipulable, measurable and the like ("state simplification"). Later on, they set about to recreate social reality so that it conforms as closely as possible to such a vision, radically eliminating unwanted variables. The social system that results

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is, however, not viable, except to the extent it is sustained by behavior that in the planner's vision ought not to take place at all. This proposition is illustrated with three extensive case-studies of the "social engineering of rural settlement and production": collectivization in the USSR, 'compulsory villagization' in Tanzania, and modern 'scientific' agricultural policy (a fourth case study, of the Tennessee Valley Authority, was dropped for reasons of time and space). In the course of the book, a vast number of other longer and shorter illustrations are given, for example in a chapter-long discussion of "high-modernist" city planning (High Priest: Le Corbusier).

Scott begins with a story that functions as a kind of parable throughout the book: the history of German scientific forestry, beginning in the second half of the 18th century. The story contains, at least in metaphoric form, all of the elements of Scott's *aperçu*, so that retelling it briefly seems the best way to give the reader an idea of how Scott goes to work. Although a natural forest has many species other than trees, and trees themselves have, among other things, many (human) uses, the state's interest in forests was largely limited to lumber and, in particular, to the production of a steady source of revenue. However, fiscal planning was made difficult by characteristics both of the forest (such as the uneven distribution of valuable trees) and the available measurement technology. German foresters developed, first, a variety of statistical techniques for estimating the yield of a given forest, based on the concept of a standard tree (*Normalbaum*). The next step was to transform nature to conform to this statistical abstraction: through careful management, forests were created consisting entirely of standard trees; such forests were much easier to "count, manipulate, measure and assess".

[F]orest science and geometry, backed by state power, ...transform[ed] the real, diverse, and chaotic old-growth forest into a new, more uniform forest.... To this end, the underbrush was cleared, the number of species was reduced (often to monoculture), and plantings were done simultaneously and in straight rows on large tracts. (15)

The forest became "legible": knowable on the basis of maps and tables. Day-to-day forest management could be routinized and delegated to relatively unskilled labor crews. Hierarchical control, inspection and experimental manipulation were possible. And "[a]lthough the geometric, uniform forest was intended to facilitate management and extraction, it quickly became a powerful aesthetic as well" (18).

While a disaster for the local peasant population, who had depended on all the other products of the natural forest, the scientifically managed forest proved at

first a great success. During the 19th century, the 'principles of scientific forestry' were widely applied in German forests and the German model was imitated all over the world (including the United States and European colonies as distant as India).

In 'scientific forestry' the forest was reduced to a "one-commodity machine". The essential condition of the technical rigor of this science was that it

severely bracketed, or assumed to be constant, all variables except those bearing directly on the yield of the selected species and on the cost of growing and extracting them (20).

And, of course, just as later proved the case with such other products of 'state simplification' as "urban planning, revolutionary theory, collectivization, and rural resettlement," (20) it was precisely this 'bracketing' that turned out to be the Achilles heel of the whole project. After about a century, the nonsustainability of 'scientific forestry', whose very essence lay in ignoring the complex ecology of a natural forest, became apparent in disastrously declining yields (due to soil depletion, disease, storm damage, etc.).

The metaphorical value of ... [the case of] scientific production forestry is that it illustrates the dangers of dismembering an exceptionally complex and poorly understood set of relations and processes in order to isolate a single element of instrumental value (21).

The central thesis of *Seeing Like a State* is that 'state simplification' is, on the one hand, essential to the "enormous leap in state capacity ... [involved in the] move from tribute and indirect rule to taxation and direct rule", making a "previously opaque" society "legible" (77), but on the other hand, by standardizing and aggregating social facts, collapsing or ignoring important social distinctions, 'state simplification' also often sows the seeds of failure of the ambitious projects which employ it. In both forests and social life, the messy and complicated - seemingly anarchic - interrelationships that 'state simplification' brackets are in truth essential to the functioning of the system. As Scott repeatedly notes with pointed irony, "the formal order encoded in social-engineering designs inevitably leaves out elements that are essential to their actual functioning". Whether it is collective villages in Tanzania, centrally-planned factory production in East Germany or planned cities like Brasilia, when such designs work at all, they do so only because at the level of actual practice, local behavioral adjustments are made "wholly outside ... [the] schemata" of the design (351).

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To read Scott's thesis as a radical plea for the 'free market' would be to miss the point completely. In fact, he emphasizes that when imposed on a social system that functions according to other principles, market capitalism can involve every bit as much 'state simplification' as state socialism.

The market is itself an instituted, formal system of coordination, despite the elbow room that it provides to its participants, and it is therefore similarly dependent on a larger system of social relations which its own calculus does not acknowledge and which it can neither create nor maintain ... [including] antecedent patterns and norms of social trust, community and cooperation, without which market exchange is inconceivable (351).

In short, the imposition of 'the market' on the former Soviet Union should not be seen as a break with the tradition of state-imposed collectivization; rather, it is fundamentally just more of the same.

What is the relation of all of this to law, and in particular to the idea of legal pluralism? There are some obvious points of connection. Social engineering projects are usually enacted in the form of law, so that state simplifications generally appear in legal guise. When such projects fail, the failure is in that sense a 'legal' one. And many such projects - such as land reform - are in a more direct sense 'legal'.

At a more theoretical level, Scott's idea of 'state simplification' and the idea in legal theory of 'legal pluralism' reflect a parallel vision. 'Legal centralism' has essentially the same features as 'scientific forestry' and other instances of 'state simplification'; in fact, 'legal centralism' is a form of 'state simplification' and the arguments Scott makes against 'state simplification' have their parallels in the literature on legal pluralism. In both cases, the essential claim is that there is much more to social life than traditional legal positivism (and its *étatiste* equivalent) take into account, and that a social or a legal order built according to such a plan would either fall of its own weight or stand only because supported and supplemented by precisely the sorts of 'informal' behavior that it rejects. The foundation of social order is in 'natural' social relationships (to invoke the metaphor of the natural forest) and the foundation of legal order in 'natural' legal relationships, that is the stuff of legal pluralism. (Needless to say, as Scott emphasizes, this does not mean that the state - the law - has no influence on its 'natural' surroundings, but rather that it is ultimately dependent on them, however messy and unmanageable they may appear.)

I close this review by invoking one of Scott's arguments that has a particularly

attractive application to legal theory. Social life depends on the “skills, agility, initiative, and morale” of ordinary members of society, but social engineering based on ‘state simplification’ tends to diminish these, to ignore, override and thereby reduce the ‘human capital’ of the population. Such a population,

once created, would ironically have been exactly the kind of human material that would in fact have needed close supervision from above. In other words, the logic of social engineering on this scale was to produce the sort of subjects that its plans had assumed at the outset.

That authoritarian social engineering failed to create a world after its own image should not blind us to the fact that it did, at the very least, damage many of the earlier structures of mutuality and practice.... (349)

Of legal centralism, too, one can argue that it is not only a failed project (a false description), but that to the extent its proponents have succeeded in realizing their vision of legal order dependent entirely on the state, they have diminished the moral ability and innovativeness on which satisfactory social order, ultimately, depends.

Reference

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