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Placing the Government in Fragile Democracies

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This Essay - written for a symposium about constitution-making - argues that one of the most important decisions a fragile democratic system makes in writing a constitution is where to place its government. Constitutions usually do address where the national government will be located, simply because it is difficult to coordinate governmental actions without a consensus definition of where government convenes. This is an issue that those drafting constitutions have spent much time considering. Scholars, however, have not yet provided a framework for understanding how this important decision is to be made - and particularly how it shapes the representative nature of an emerging democratic regime. If one of the ambitions of democracy is to feature a representative government, then one of the key means by which that representative government can be achieved is through locational decisions related to the national government. The goal of this Symposium Essay is to sketch out very generally the different options that constitution designers have at their disposal in deciding where to locate national power and the central implications of each of these options for how representative the national government of an emerging democratic regime is likely to be.

PLACING THE GOVERNMENT IN FRAGILE DEMOCRACIES

*David Fontana**

INTRODUCTION

The first protests of the Arab Spring began in December of 2010 in Sidi Bouzid, Tunisia.¹ Within a few months, the autocratic leaders of Tunisia and Egypt had been dethroned, and democratic elections and new constitutions followed in relatively short order.² From that point, the common fates of these two countries started to diverge—and diverge for reasons that scholars have not yet entirely recognized.

The new Constitution of Egypt solidified Cairo as the capital,³ and the new Egyptian national government centralized itself near Tahrir Square in Cairo.⁴ By contrast, Article 50 of the interim Tunisian Constitution provided that “[t]he headquarters of the Chamber of Deputies shall be located in Tunis *and the suburbs*

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1. *Arab Uprising: Country by Country—Tunisia*, BBC (Dec. 16, 2013), <http://www.bbc.com/news/world-12482315>.

2. *See id.*; Greg Botelho, *Arab Spring Aftermath: Revolutions Give Way to Violence, More Unrest*, CNN (Mar. 28, 2015, 1:52 PM), <http://www.cnn.com/2015/03/27/middleeast/arab-spring-aftermath/>.

3. CONSTITUTION OF THE ARAB REPUBLIC OF EGYPT, 26 Dec. 2012, art. 220 (“Cairo is the capital of the State.”) (translated from Arabic by author); *see also id.* art. 92 (“The seats of both the House of Representatives and the Shura Council are in Cairo.”) (translated from Arabic by author); *id.* art. 175 (“The Supreme Constitutional Court is an independent judicial body, seated in Cairo”) (translated from Arabic by author). An unofficial full translation of the 2012 Egyptian Constitution can be found at <http://constitutionaltransitions.org/wp-content/uploads/2013/05/Egypt-Constitution-26-December-2012.pdf>.

4. *See* Matt Ford, *A Dictator’s Guide to Urban Design*, ATLANTIC (Feb. 21, 2014), <http://www.theatlantic.com/international/archive/2014/02/a-dictator-s-guide-to-urban-design/283953/> (“Cairo’s layout also made Tahrir Square the perfect place to launch a revolution. Centrally located in Egypt’s largest city, Tahrir sits near the Egyptian parliament, Mubarak’s political party headquarters, the presidential palace, numerous foreign embassies, and hotels filled with international journalists to broadcast footage of the protests for audiences around the world.”).

thereof.”⁵ In Tunis, government offices were distributed across the greater Tunis metropolitan area, with some crucial parts of the national government even located in Bardo, a suburb of Tunis.⁶ Come the summer of 2013, a new wave of popular mobilizations influenced Egypt and Tunisia, and these differences in the geography of national power were part of the equation.⁷ Video images showed opponents of the Egyptian regime occupying Tahrir Square and surrounding the Egyptian government.⁸ Several months later, when protests emerged in Tunis, video images showed a split screen of protesters trying to disrupt the government in central Tunis at the same time as other protesters were taking public transportation out to the suburbs to protest there as well.⁹

This is just one example of a larger blind spot for those studying democratic transitions: geography.¹⁰ The central issues to address as countries manage democratic transitions have long occupied the attention of social scientists.¹¹ In recent decades, legal scholars

5. DRAFT CONSTITUTION OF THE TUNISIAN REPUBLIC, Apr. 22, 2013, art. 50 (translated from Arabic by author) (emphasis added). An unofficial full translation of the 2013 Tunisian Draft Constitution can be found at <http://constitutionaltransitions.org/wp-content/uploads/2013/05/Tunisia-third-draft-Constitution-22-April-2013.pdf>.

6. See Roua Khelifi, *Ennahdha and Allies Reject Calls for NCA Dissolution*, TUNISIALIVE (July 31, 2013, 4:26 PM), <http://www.tunisia-live.net/2013/07/31/ennahdha-and-others-reject-calls-for-nca-dissolution/> [<https://web.archive.org/web/20130803171125/http://www.tunisia-live.net/2013/07/31/ennahdha-and-others-reject-calls-for-nca-dissolution/>].

7. There were many variables that undermined the Egyptian regime that did not undermine the Tunisian regime, none of which were necessarily conclusive. For a helpful discussion of this, see JASON BROWNLEE ET AL., *THE ARAB SPRING: PATHWAYS OF REPRESSION AND REFORM* (2015). The only point to be made here is that Egypt’s differential treatment of the geography of national power was part of the progression of events.

8. *Protests Continue in Egypt’s Tahrir Square*, NBC NIGHTLY NEWS (June 30, 2013), <http://www.nbcnews.com/video/nightly-news/52359178#52359178>.

9. Louafi Larbi, *National Strike, Protests and Clashes as Tunisia Mourns for Assassinated Opposition Leader*, RT (Feb. 9, 2013, 8:58 AM), <https://www.rt.com/news/tunisia-belaid-funeral-protests-741/>.

10. For an excellent, related paper about the geography of the Arab Spring, see generally Ellis Goldberg, *The Urban Roots of the Arab Spring* (Apr. 20, 2014) (unpublished manuscript), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2426960 (arguing that a swift overthrow of a government can typically only occur in countries with a primate capital city like Egypt and Tunisia). For a related paper about democratic activity and geography at the level of the metropolitan area rather than the country, see generally Brian B. Knudsen & Terry N. Clark, *Walk and Be Moved: How Walking Builds Social Movements*, 49 URB. AFF. REV. 627 (2013) (analyzing the relationship between urban environments and social movement organizations).

11. See generally ROBERT A. DAHL, *POLYARCHY: PARTICIPATION AND OPPOSITION* (1971) (discussing conditions that favor or impede democratic transitions); SAMUEL P. HUNTINGTON, *THE THIRD WAVE: DEMOCRATIZATION IN THE LATE TWENTIETH CENTURY* (1991) (examining the causes, processes, and consequences of various democratic transitions between 1974 and 1990); Juan J.

have also started to examine democratic transitions.¹² Geography is featured in debates about democratic transitions but largely in debates about federalism in fragile democracies.¹³ Scholars focus on the arguments for and against separating power across space and across different governmental units.¹⁴ Democratic transitions must address another, equally important question related to geography, one raised by the Egyptian and Tunisian narratives provided above: the geographical distribution of *national* power.

One of the most crucial decisions that a fragile democratic system designing its constitution must address is *where* to place national power. Constitutions usually do address where the national government will be located, simply because it is difficult to coordinate governmental actions without a consensus definition of where government convenes.¹⁵ This is an issue that those drafting constitutions have spent much time considering. Scholars, however, have not yet provided a framework for understanding how this important decision is to be made—and particularly how it shapes the representative nature of an emerging democratic regime. If one of the ambitions of democracy is to feature a representative government, then one of the key means by which that representative government can be achieved is through locational decisions related to the national government.

The goal of this Symposium Essay is to sketch out very generally the different options that constitution designers have at their disposal in deciding where to locate national power and the

Linz, *Crisis, Breakdown, and Reequilibration*, in THE BREAKDOWN OF DEMOCRATIC REGIMES 3 (Juan J. Linz & Alfred Stepan eds., 1978) (analyzing prominent changes in political regimes to evaluate the process of the breakdown of democracy and the conditions for democratic stability); Seymour Martin Lipset, *Some Social Requisites of Democracy: Economic Development and Political Legitimacy*, 53 AM. POL. SCI. REV. 69 (1959) (analyzing conditions associated with the existence and stability of democratic societies that are external to the political system).

12. See generally ZACHARY ELKINS ET AL., THE ENDURANCE OF NATIONAL CONSTITUTIONS (2009) (discussing the effects of democratic transitions on constitutional stability); RUTI G. TEITEL, TRANSITIONAL JUSTICE (2000) (analyzing legal responses and the role of law in the context of political transformation).

13. See, e.g., ANDREW ARATO, CONSTITUTION MAKING UNDER OCCUPATION: THE POLITICS OF IMPOSED REVOLUTION IN IRAQ 232–33 (2009); LARRY DIAMOND, SQUANDERED VICTORY: THE AMERICAN OCCUPATION AND THE BUNGLED EFFORT TO BRING DEMOCRACY TO IRAQ 163 (2005).

14. See, e.g., AOIFE O'DONOGHUE, CONSTITUTIONALISM IN GLOBAL CONSTITUTIONALISATION 34–38 (2014).

15. Rules locating the national capital function as a “coordination rule,” meaning that they are “logically impossible . . . to create” without some initial agreement about their content. Adrian Vermeule, *The Constitutional Law of Congressional Procedure*, 71 U. CHI. L. REV. 361, 366 (2004). It is difficult—if not impossible—for a legislature to convene, for instance, without prior, formal agreement about where that legislature is to convene. *Id.*

central implications of each of these options for how representative the national government of an emerging democratic regime is likely to be. The goal is not to endorse one option as superior in all contexts, but simply to provide a roadmap of the paths that can be taken and the implications of each of these paths for the central democratic goal of generating a representative national government.¹⁶

I. THE CHOICES AND IMPLICATIONS OF THE LOCATION OF NATIONAL POWER

Locating national power in fragile democracies drafting constitutions involves two dimensions of choices. First, a decision must be made regarding *how many* locations will feature national power. Second, regardless of how many locations feature national power, decisions must be made regarding *what type* of metropolitan area will feature national power. These locational choices have two dimensions of implications related to the representativeness of national power. Where the national government is located will influence the *identity* of the officials exercising national power and will also influence the *interactions* of the officials exercising national power.

A. *The Choices*

As an initial matter, constitution designers must decide whether to create a single national center of power or multiple national centers of power. Some countries, like Germany and South Africa, have located different parts of the national government in different metropolitan areas.¹⁷ Other countries, like the United States, have centralized national power more in a singular metropolitan area.¹⁸

16. Other implications of placing governments in fragile democratic regimes are saved for another essay.

17. See Alan Mabin, *South African Capital Cities*, in CAPITAL CITIES IN AFRICA: POWER AND POWERLESSNESS 168, 168 (Simon Bekker & Göran Therborn eds., 2012); Richard L. Merritt, *The Lost Center: Dispersing Berlin's Capital City Functions, 1945–78*, in WESTERN EUROPEAN CITIES IN CRISIS 185, 185, 194 (Michael C. Romanos ed., 1979).

18. See U.S. CONST. art. I, § 8, cl. 17 (referencing a single “District” with “ten miles square” as “*the* Seat of the Government of the United States”) (emphasis added). The Twenty-Third Amendment later reiterated this. See U.S. CONST. amend. XXIII, § 1 (referencing “[*t*]he District constituting *the* seat of Government of the United States” and how its representation in Congress would compare to “*a* State”) (emphasis added). The Residence Act of 1790 states that “[*a*]ll offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere.” 4 U.S.C. § 72 (2012) (emphasis added). See generally David Fontana, *The Spatial Separation of Powers* (2015) (unpublished manuscript) (on file with author) (discussing the advantages of physically separating federal power across several metropolitan areas and

Once constitution designers have decided *how many* national centers of power there shall be, they then must decide between different types of metropolitan areas in which to locate national power. Three genres of choices are possible. First, constitution designers can decide to place national power in a primate metropolitan area.¹⁹ A primate area is an area that is the single dominant metropolitan area within a country²⁰—Cairo in Egypt is a great example.²¹ In most countries, the primate metropolitan area is also the primary (or exclusive) capital metropolitan area.²²

Second, national power can be placed in a major metropolitan area that is not the single dominant metropolitan area within national borders. A country without a primate metropolitan area can choose to place national power in the most substantial metropolitan area, even if that substantial metropolitan area does not rise to the level of a primate metropolitan area. An example of this could be the Constitution of Ukraine after the fall of the Soviet Union,²³ which placed national power in Kiev, a major metropolitan area but not a primate metropolitan area. Even with a primate metropolitan area, a country could place national power in a different major metropolitan area. The Czech Republic, for instance, located the constitutional court in Brno rather than in Prague

critiquing the current system of spatially unified federal power in the United States).

19. Scholars have started to use the term “metropolitan area” rather than “city” because of the vast range of forces encompassed in the modern urban form. See Nicole Stelle Garnett, *Suburbs as Exit, Suburbs as Entrance*, 106 MICH. L. REV. 277, 278 (2007).

20. See generally Alberto F. Ades & Edward L. Glaeser, *Trade and Circuses: Explaining Urban Giants*, 110 Q.J. ECON. 195 (1995) (investigating the factors behind the concentration of a nation’s urban population in one city); Sebastian Galiani & Sukko Kim, *Political Centralization and Urban Primacy: Evidence from National and Provincial Capitals in the Americas*, in UNDERSTANDING LONG-RUN ECONOMIC GROWTH: GEOGRAPHY, INSTITUTIONS, AND THE KNOWLEDGE ECONOMY 121 (Dora L. Costa & Naomi R. Lamoreaux eds., 2011) (investigating the role of provincial and state capitals in Latin America and the United States); Mark Jefferson, *The Law of the Primate City*, 29 GEOGRAPHICAL REV. 226 (1939) (investigating the role of primate cities around the world); Arnold S. Linsky, *Some Generalizations Concerning Primate Cities*, 55 ANNALS ASS’N AM. GEOGRAPHERS 506 (1965) (testing six different hypotheses on the conditions under which primate cities occur).

21. Cairo is home to approximately a quarter of Egypt’s population, and is many times larger than the second largest metropolitan area (Alexandria). See *The World Factbook—Egypt*, CIA, <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html> [<https://web.archive.org/web/20150912032354/https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html>] (last updated Sept. 4, 2015) (listing Cairo’s population at 18.772 million and Alexandria’s population at 4.778 million).

22. See Galiani & Kim, *supra* note 20, at 121 (“[I]n almost every country, the primate city [is] usually a capital city . . .”).

23. UKR. CONST., art. 20, para. 7 (1996) (“The capital of Ukraine is the City of Kyiv.”).

(where the legislature and the executive are located) after the Berlin Wall fell in 1989.²⁴

Third, national power can be placed in a specially constructed capital metropolitan area. This new capital could have previously been a nonexistent metropolitan area, which was largely the case for Washington, D.C., before the United States decided to make it the capital.²⁵ The new capital could be located in an area that was a smaller metropolitan area. The decision to make that smaller metropolitan area into the capital is essentially creating a new capital, because the metropolitan area was so small previously as not to shape the new, formidable capital in a meaningful fashion. Examples of this approach include the decision to construct a new Malaysian capital in Putrajaya,²⁶ or the recent discussion about Egypt constructing a new national capital metropolitan area.²⁷

B. *The Implications of the Choices*

This question of where to place national power has two categories of implications. First, it influences the *identity* of the officials exercising national power. Labor markets have been changed by technology, but it is still the case that most people work relatively close to where they reside, and most people do not move great distances for employment opportunities.²⁸ This tends to be true even at the higher levels of employment.²⁹ This means that those working in government will be those who live near where government is located. Because transportation costs play a major role in where people work, and these costs tend to be higher outside of the stable democracies,³⁰ the location of national power will shape who exercises national power even more in fragile democracies.

The location of national power, then, shapes the background of those who serve in national office. One of the central challenges of a fragile democratic regime is ensuring that wide ranges of political forces are actually represented in national office. Constitution

24. See ÚSTAVNÍ SOUD [CONSTITUTIONAL COURT], <http://www.usoud.cz/en> (last visited Oct. 26, 2015).

25. See KENNETH R. BOWLING, *THE CREATION OF WASHINGTON, D.C.: THE IDEA AND LOCATION OF THE AMERICAN CAPITAL* 238–39 (1991).

26. See Sarah Moser, *Putrajaya: Malaysia's New Federal Administrative Capital*, 27 *CITIES* 285, 285 (2010).

27. See Matt Schiavenza, *Egypt's New Potemkin Capital*, *ATLANTIC* (Mar. 15, 2015), http://www.theatlantic.com/international/archive/2015/03/egypt-to-build-a-potemkin-capital/387826/?utm_source=btn-email-pckt.

28. See Richard Florida, *Why Americans Are Moving Less: New Jobs Aren't Worth It*, *CITYLAB* (Apr. 28, 2014), <http://www.citylab.com/work/2014/04/why-americans-are-moving-less-new-jobs-arent-worth-it/8973/>.

29. See Edward L. Glaeser & Janet E. Kohlhase, *Cities, Regions and the Decline of Transport Costs*, 83 *PAPERS REGIONAL SCI.* 197, 223 (2004).

30. See David Schleicher, *The City as a Law and Economic Subject*, 2010 *U. ILL. L. REV.* 1507, 1509–10 & n.14; *infra* notes 81–82 and accompanying text.

drafters focus on various design tools to achieve this diversity of representation. The debate about parliamentary versus presidential regimes for fragile democracies, for instance, features strong disagreements about whether presidential or parliamentary systems better open up the political process for a diverse range of officials.³¹ Another aspect of this representation debate is a locational feature. Constitution drafters think about what political forces must be represented in government as a means of thinking about where governments should be located. During a chaotic moment in its history, Nigeria moved parts of its capital from Lagos to Abuja so that there would be more Muslims in government.³²

The location of the national government shapes its identity not just in practice, but also in perception. In stable democratic systems, voters use political parties as heuristics to make decisions about who does and should hold national power.³³ In fragile democracies, there is either one³⁴ or no party brand with known means to guide citizens.³⁵ Places tend to be strong heuristics that guide perceptions,³⁶ and without party brands, citizens will turn to place brands even more strongly. This means that the location of national power will tell citizens *who* exercises national power.

Second, the location of national power influences the *interactions* of the new national regime that is created by the new constitutional system. Our most important personal and professional relationships are still overwhelmingly our most physically proximate relationships.³⁷ Placing national power is a

31. For a notable summary of the arguments and contribution to the debate, see generally Bruce Ackerman, *The New Separation of Powers*, 113 HARV. L. REV. 633 (2000) (comparing and contrasting American-style separation of powers with “constrained parliamentarianism”).

32. See LAWRENCE J. VALE, ARCHITECTURE, POWER, AND NATIONAL IDENTITY 134–35 (1992).

33. See ROBERT S. ERIKSON ET AL., THE MACRO POLITY 68 (2002); MORRIS P. FIORINA, RETROSPECTIVE VOTING IN AMERICAN NATIONAL ELECTIONS 89–98, 105 (1981) (discussing how individuals choose and change party identification).

34. For example, South Africa has a “dominant party” system, where one party—the African National Congress—has won a majority of the recent national elections. See Sujit Choudhry, *‘He Had a Mandate’: The South African Constitutional Court and the African National Congress in a Dominant Party Democracy*, 2 CONST. CT. REV. 1, 3 (2009).

35. See George B. N. Ayittey, *How the Multilateral Institutions Compounded Africa’s Economic Crisis*, 30 L. & POL’Y INT’L BUS. 585, 594 (1999).

36. See generally Michael Manville, *People, Race and Place: American Support for Person- and Place-Based Urban Policy, 1973-2008*, 49 URB. STUD. 3101 (2012) (examining whether Americans associate big cities with African Americans); Harvey Molotch, *Place in Product*, 26 INT’L J. URB. & REGIONAL RES. 665 (2002) (arguing that products can be tracers to the places from which they come from).

37. See, e.g., Luís M. A. Bettencourt, *The Origins of Scaling in Cities*, 340 SCIENCE 1438, 1441 (2013) (“Institutions and industries that benefit from strong mutual interactions may aggregate in space and time within the city . . .”);

means of shaping what relationships those in national power will cultivate with those inside and outside of the national government.

II. THE MULTIPLE-CAPITAL APPROACH

Federalism assumes different governments that share overlapping control over the same physical territory.³⁸ Implied within this definition of federalism is that these different governments themselves are located in different places. There would be much less—or no—point to federalism if the capitals of California and New York were also in the District of Columbia.

Different physical locations have also become a more common part of the exercise of national power. The most notable example of the multiple-capital approach arose in the aftermath of World War II in Germany. The Allied forces occupying Germany after World War II insisted that German national power be spread out over eight cities.³⁹ Even with more national power located in Berlin, it is still the case that important parts of the German national government are separated among many different metropolitan areas.⁴⁰ The multiple-capital approach provides a geographical safeguard ensuring a diverse range of officials working for and interacting with the national government.

A. *Officials in Multiple-Capital Regimes*

Multiple capitals diversify the officials in a national government as powerfully as any other constitutional design tool available to fragile democracies. For single capitals to employ officials from all over a country, these officials must be willing to endure the direct cost of relocating to the single capital. In many fragile democracies, infrastructural limitations can make this direct cost a substantial cost.⁴¹ That direct cost also entails substantial opportunity costs. There is the opportunity cost that a substantial amount of travel time to the single capital creates.⁴² There is the opportunity cost of foregoing personal and professional relationships in the previous

Diana Mok et al., *Does Distance Matter in the Age of the Internet?*, 47 URB. STUD. 2747, 2779 (2010) (“The frequency of face-to-face and phone contact among various role relationships has hardly changed between the 1970s and the 2000s.”).

38. In William Riker’s famous definition of federalism, “two levels of government rule the same land and people.” WILLIAM H. RIKER, *FEDERALISM: ORIGIN, OPERATION, SIGNIFICANCE* 11 (1964).

39. See Gordon A. Craig, *Berlin, the Hauptstadt: Back Where It Belongs*, 77 FOREIGN AFF. 161, 166–68 (1998).

40. See *id.* at 170.

41. See, e.g., Larry Diamond, *Developing Democracy in Africa: African and International Imperatives*, 14 CAMBRIDGE REV. INT’L AFF. 191, 197 (2000).

42. See Glaeser & Kohlhase, *supra* note 29, at 208–09.

place of residence⁴³—relationships that will also be harder to maintain from a distance because of weaker infrastructure.

The benefits of relocating to the single capital will be lower because of the discounted value of serving in government. In stable democracies, many scholars have framed public service as a form of deferred compensation.⁴⁴ Officials rotate in and out of government. The skills and relationships they developed in government result in greater returns once out of government.⁴⁵ In fragile democracies, the benefits of public service are not as enormous. The potential for a dramatic change in who runs a country could mean that the skills and relationships built in government are worthless outside of government.

The geographical dispersion of a country's population will substantially determine the diversity of officials in government. Many fragile democracies are smaller in terms of square miles.⁴⁶ This reduces the costs for individuals to relocate to the single capital. A primate metropolitan area dominates many fragile democracies.⁴⁷ If there is a primate metropolitan area that houses the national government, there are fewer types of officials present in other places and missing from the capital metropolitan area.

B. Official Interactions in Multiple-Capital Regimes

The fragile democratic regime that creates a multiple-capital system increases the capacity of the national government to interact with a diverse range of private forces.⁴⁸ If the national government wishes to obtain information about private forces outside of a single capital, it can try to interact with these forces directly, but this poses substantial complications. Information from a distance is less precise and reliable than information from across the street.⁴⁹ The national government can decide to travel to areas outside of the single capital, but this will generate the direct costs of travel as well

43. See Naomi Schoenbaum, *Mobility Measures*, 2012 BYU L. REV. 1169, 1174–75.

44. See Ackerman, *supra* note 31, at 708–09.

45. See *id.* at 709.

46. Compare *The World Factbook—Country Comparison: Area*, CIA, <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2147rank.html> (last visited Oct. 26, 2015) (ranking countries by size using square kilometers), with THE ECONOMIST INTELLIGENCE UNIT, DEMOCRACY INDEX 2014: DEMOCRACY AND ITS DISCONTENTS 4–7 (2015), <http://www.sudestada.com.uy/Content/Articles/421a313a-d58f-462e-9b24-2504a37f6b56/Democracy-index-2014.pdf> (classifying several countries as flawed democracies or hybrid regimes).

47. See Galiani & Kim, *supra* note 20, at 121–22.

48. See Merritt, *supra* note 17, at 194–95, 201.

49. See Michael Storper & Anthony J. Venables, *Buzz: Face-to-Face Contact and the Urban Economy*, in INSTITUTIONS, INCENTIVES AND COMMUNICATION IN ECONOMIC GEOGRAPHY 43, 61–62 (Michael Storper ed., 2004).

as the costs of imprecise information that result from less frequent interactions with physically distant individuals.⁵⁰

While information is more easily obtained in the multiple-capital regime, it is more difficult for the multiple-capital regime to act on this information. One of the tools of constitutional design to weaken the state is to generate a series of transaction costs that the state must endure in order to engage in some form of action.⁵¹ This is usually done through a series of procedural hurdles like federalism and the separation of powers.⁵² These procedural hurdles mean either that government cannot act at all or that if it can act, it must purchase the cost of consent of multiple actors in order to overcome the veto gates they operate.⁵³

One of the concerns about generating more representation is that this representation can undermine the democratic process. A national government with excess capacity to monitor private forces can be a government that does not recognize and respect constraints on power.⁵⁴ A multiple-capital approach ensures that some part of the national government is exposed to the full range of private forces because some part of the national government is located in many different metropolitan areas. This means that some part of the national government is able to monitor private forces at lower cost because of physical proximity. However, because the national government itself is geographically fragmented, this reduces the capacity of the national government to merge information about private forces and coordinate a response. Indeed, related empirical evidence has demonstrated that national governments with large amounts of physically proximate information about private threats can be particularly dangerous national governments.⁵⁵

Private forces with excess capacity to monitor a national government can also undermine the democratic process by generating the threat of antidemocratic mob violence.⁵⁶ A crucial

50. *See id.* at 62.

51. *See* Richard A. Posner, *The Constitution as an Economic Document*, 56 GEO. WASH. L. REV. 4, 12 (1987).

52. *See id.* at 12–14.

53. *See* Daryl J. Levinson & Richard H. Pildes, *Separation of Parties, Not Powers*, 119 HARV. L. REV. 2311, 2338 (2006).

54. *See* Barry R. Weingast, *The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development*, 11 J.L. ECON. & ORG. 1, 1 (1995).

55. *See* Ades & Glaeser, *supra* note 20, at 195 (“Dictatorships have central cities that are, on average, 50 percent larger than their democratic counterparts.”).

56. *See, e.g.*, Wadah Khanfar, *Egypt Must Get Back on the Path of Democratic Change*, THEGUARDIAN (July 28, 2013, 4:00 PM), <http://www.theguardian.com/commentisfree/2013/jul/28/egypt-democratic-change-deep-state-violent>.

feature of a successful effort to overthrow a government is scale.⁵⁷ It requires many outraged citizens organizing and protesting in the streets to create the kind of pressure that leads governments to fall.⁵⁸ Dispersing national power makes it harder for those trying to overthrow a national government to succeed. Antidemocratic forces have to organize and coordinate joint efforts across large physical spaces, rather than organize and coordinate joint efforts in a single place—say, Tahrir Square in Cairo in 2013.⁵⁹ Indeed, a famous saying about Germany was that “whoever took Berlin ruled Germany.”⁶⁰

III. THE PRIMATE-CAPITAL APPROACH

In addition to the decision about *how many* national capitals to utilize, fragile democracies must decide *which* capitals to utilize. The first—and most common—approach is to locate national power in the primate metropolitan area in that country.⁶¹ In most fragile democracies, this decision to locate national power in the primate capital is not much of a conscious decision. There are no or very few other metropolitan areas with the capacity to handle the national government. The choice becomes either locating national power in a primate capital or constructing an entirely new metropolitan area to host national power.

The representative ambitions of fragile democracies can be buttressed by the diverse range of people that live and work in the primate capital—although this diverse range of people can live and work all over a primate capital, meaning that where national power is located within the primate capital becomes important. This greater exposure to large numbers of diverse private forces, though, poses risks that the primate capital will go to extremes, and that either the national government will become too powerful or those

57. See generally Filipe R. Campante & Quoc-Anh Do, *Inequality, Redistribution, and Population* (Harvard Univ. John F. Kennedy Sch. of Gov't Faculty Research Working Paper Series, Paper No. RWP07-046, 2007) (exploring the relationship between the size of a country's population and the threat of revolution).

58. Major violence tends to be a greater feature of life in major metropolitan areas than in life elsewhere. See Dennis DiPasquale & Edward L. Glaeser, *The Los Angeles Riot and the Economics of Urban Unrest*, 43 J. URB. ECON. 52, 56 (1998) (“Urbanization is positively correlated with rioting, which perhaps means that political unrest is easier to organize in cities.”).

59. Compare Mabin, *supra* note 17, at 171–72, 174–75 (discussing South Africa's multiple capitals and how it has retained those capitals following Apartheid), with Shaimaa Fayed & Yasmine Saleh, *Egyptians Flood Streets to Demand Mursi Ouster*, REUTERS (June 30, 2013, 11:08 PM), <http://in.reuters.com/article/2013/06/30/egypt-protests-idINDEE95T03W20130630> (discussing the millions involved in a protest in Egypt in June 2013).

60. Craig, *supra* note 39, at 165.

61. See Galiani & Kim, *supra* note 20, at 121.

trying to overthrow the national government will be able to do so too easily.

A. *Officials in Primate Capitals*

The primate capital is meant to provide diverse representation at the metropolitan level comparable to that provided by multiple capitals among metropolitan areas.⁶² Metropolitan areas generally encourage labor specialization because the larger numbers of opportunities generate deep markets.⁶³ Deep markets provide a form of risk pooling, or insurance against “firm-specific shocks.”⁶⁴ One can specialize in a particular area of economic or social life because greater alternative opportunities ensure that as one door closes, another specialized door opens. Greater learning within that specialization is facilitated by the ease of knowledge spillovers in metropolitan areas.⁶⁵ With this greater specialization comes greater productive benefits, as people can specialize in areas in which they have a comparative advantage.⁶⁶ These dynamics of metropolitan life are part of the reason that metropolitan areas specialize in particular features of economic or social life, rather than offering a little bit of every feature of economic or social life.⁶⁷

The primate capital—as compared to other metropolitan forms—is substantial enough to encourage a broader range of specializations. Deep labor can be specialized and especially productive across many dimensions.⁶⁸ Those from outside of the

62. It is not a primate city, but a similar argument was made when the capital was moved from Bonn to Berlin after the fall of the Berlin Wall: “Berlin will require us to become aware of arising social conflicts more directly than Bonn would.” Andreas W. Daum, *Capitals in Modern History: Inventing Urban Spaces for the Nation, in BERLIN–WASHINGTON, 1800–2000: CAPITAL CITIES, CULTURAL REPRESENTATION, AND NATIONAL IDENTITIES* 3, 15 (Andreas W. Daum & Christof Mauch eds., 2005) (quoting Deputy Otto Schily). The hope was that Washington would eventually become a primate capital—it would become “the Rome of America in the arts, the Berlin of America in education, and the Paris of America as a city of beauty and pleasure.” Carl Abbott, *International Cities in the Dual Systems Model: The Transformations of Los Angeles and Washington*, 18 URB. HIST. Y.B. 41, 51 (1991).

63. See, e.g., James R. Baumgardner, *The Division of Labor, Local Markets, and Worker Organization*, 96 J. POL. ECON. 509, 510 (1988); Christopher H. Wheeler, *Cities and the Growth of Wages Among Young Workers: Evidence from the NLSY*, 60 J. URB. ECON. 162, 165 (2006).

64. See Edward L. Glaeser, *Are Cities Dying?*, 12 J. ECON. PERSP. 139, 146 (1998).

65. See, e.g., ALFRED MARSHALL, *PRINCIPLES OF ECONOMICS* 271–72 (8th ed. 1953).

66. See Glaeser, *supra* note 64, at 145–46.

67. See, e.g., Guy Dumais et al., *Geographic Concentration as a Dynamic Process*, 84 REV. ECON. & STAT. 193, 193–97 (2002).

68. See Joseph Gyourko et al., *Superstar Cities 2–3* (Nat’l Bureau of Econ. Research, Working Paper No. 12,355, 2006), <http://www.nber.org/papers/w12355.pdf>.

primate metropolitan area know of these many and different specialties, and thus different types of people move to the primate metropolitan area in pursuit of opportunities.⁶⁹

For the national government, this means that a diverse labor supply exists in the same metropolitan area as the national government. Because a broader range of people are closer to the national government, a broader range of individuals are more likely to work for the national government.⁷⁰ Moving into government in the same metropolitan area would not entail the same costs to personal⁷¹ and professional relationships⁷² that would be entailed by moving across the country. Other industries outside of government can benefit from being located proximate to the government, in the form of reduced regulation or increased government contracts,⁷³ and a stint in government can be of assistance to the primate-capital worker even after they serve in government.

There are limitations to the representational promise of the primate capital. First, because of the primate capital's proximate diversity—diversity located within the same metropolitan area—there are powerful forces narrowing diversity. Different forces tend to converge when exposed to the same, place-specific stimuli. As Cass Sunstein noted, “[p]eople frequently think and do what they think and do because of what they think (relevant) others think and do.”⁷⁴ The “relevant others” shaping how we think tend to be those with whom we have the strongest relationships.⁷⁵ We have our

69. See DAVID K. IHRKE ET AL., U.S. CENSUS BUREAU, GEOGRAPHIC MOBILITY: 2008 TO 2009, at 16 (2011), <http://www.census.gov/prod/2011pubs/p20-565.pdf>; Yong Chen & Stuart S. Rosenthal, *Local Amenities and Life-Cycle Migration: Do People Move for Jobs or Fun?*, 64 J. URB. ECON. 519, 519 (2008); Edward L. Glaeser, *A World of Cities: The Causes and Consequences of Urbanization in Poorer Countries* 6 (Nat'l Bureau of Econ. Research, Working Paper No. 19,745, 2013), <http://www.nber.org/papers/w19745>.

70. See Galiani & Kim, *supra* note 20, at 128.

71. See, e.g., Mok et al., *supra* note 37, at 2750.

72. See, e.g., Mark Granovetter, *Economic Action and Social Structure: The Problem of Embeddedness*, 91 AM. J. SOC. 481, 490 (1985); Frank P. Romo & Michael Schwartz, *The Structural Embeddedness of Business Decisions: The Migration of Manufacturing Plants in New York State, 1960 to 1985*, 60 AM. SOC. REV. 874, 879 (1995); Brian Uzzi, *Social Structure and Competition in Interfirm Networks: The Paradox of Embeddedness*, 42 ADMIN. SCI. Q. 35, 41–42 (1997).

73. H.G. OVERMAN & ANTHONY J. VENABLES, CITIES IN THE DEVELOPING WORLD 9 (2005), <http://cep.lse.ac.uk/pubs/download/dp0695.pdf>.

74. CASS R. SUNSTEIN, DESIGNING DEMOCRACY: WHAT CONSTITUTIONS DO 16 (2001); see also Dan M. Kahan, *Gentle Nudges vs. Hard Shoves: Solving the Sticky Norms Problem*, 67 U. CHI. L. REV. 607, 614 (2000) (summarizing this literature about social influences).

75. On the power of those closest to us in our social networks, see Ronald S. Burt, *Social Contagion and Innovation: Cohesion Versus Structural Equivalence*, 92 AM. J. SOC. 1287, 1327–28 (1987); Nicholas A. Christakis &

strongest relationships with those in the same metropolitan area.⁷⁶ Exposure to the same place-specific, salient issues shapes what issues those in the same metropolitan area think are important.⁷⁷ Exposure to the same “epistemic communities” of policy experts in the same metropolitan area creates convergence on how to view these issues.⁷⁸ The result is that all of these different forces in the same metropolitan area—even the same primate capital—converge.⁷⁹ The primate capital might still feature more internal heterogeneity than the major or the new capital, but it will have a hard time maintaining the heterogeneity added by the multiple-capital approach where diversity is present but not proximate.

Second, a geographically concentrated national government within the primate capital can reduce the degree to which the national government features the diversity of the primate capital. More metropolitan areas—particularly in poorer, democratizing countries—feature geographically dispersed primate capitals, more akin to Los Angeles than to New York City.⁸⁰ While transporting goods has become much cheaper, it is still relatively costly to transport human beings across places, particularly in countries with

James H. Fowler, *The Spread of Obesity in a Large Social Network over 32 Years*, 357 *NEW ENG. J. MED.* 370, 377 (2007).

76. See Bettencourt, *supra* note 37, at 1439; Mok et al., *supra* note 37, at 2750.

77. See Adam K. Anderson & Elizabeth A. Phelps, *Lesions of the Human Amygdala Impair Enhanced Perception of Emotionally Salient Events*, 411 *NATURE* 305, 305–06 (2001) (explaining that the human mind retains negative information much more effectively than neutral information, which can cause one population to view an emotional event as a much more important issue than another that has not dealt with that issue directly); Thad Williamson, *Sprawl, Spatial Location, and Politics: How Ideological Identification Tracks the Built Environment*, 36 *AM. POL. RES.* 903, 904 (2008) (showing a strong correlation between spatial characteristics and voting patterns).

78. See José E. Alvarez, *Do States Socialize?*, 54 *DUKE L.J.* 961, 969 (2005) (“[F]actors such as . . . individuals’ connections to relevant epistemic communities elsewhere matter a great deal.”).

79. For evidence of this, see Seth C. McKee & Jeremy M. Teigen, *Probing the Reds and Blues: Sectionalism and Voter Location in the 2000 and 2004 U.S. Presidential Elections*, 28 *POL. GEOGRAPHY* 484, 485 (2009); Jeffrey J. Mondak & Damarys Canache, *Personality and Political Culture in the American States*, 67 *POL. RES. Q.* 26, 27–28 (2014); Peter J. Rentfrow et al., *A Theory of the Emergence, Persistence, and Expression of Geographic Variation in Psychological Characteristics*, 3 *PERSP. PSYCHOL. SCI.* 339, 340–41, 350 (2008); Wheeler, *supra* note 63, at 165.

80. Compare Edward L. Glaeser, *Urban Colossus: Why Is New York America’s Largest City?*, *FED. RES. BANK N.Y. ECON. POL’Y REV.*, Dec. 2005, at 7, 9 (describing the density of New York City), with Nigel Harris, *Urbanisation, Economic Development and Policy in Developing Countries*, 14 *HABITAT INT’L*, no. 4, 1990, at 3, 23 (noting that some primate cities in smaller low-income countries spread out to the metropolitan area and actually see a decline in inner-city population).

less developed transportation infrastructure.⁸¹ This means that the location of employment within a metropolitan area will shape whom from within that metropolitan area will work there.⁸² The Cairo model of a national government, which is concentrated within the primate capital, will attract fewer different types of officials than will the Tunis model of a national government, which is more geographically dispersed within the primate capital.

B. Official Interactions in Primate Capitals

Because government officials—like everyone else—tend to interact more often and more meaningfully with those more physically proximate to them, government officials in a primate capital are interacting with a diverse range of private forces. This can generate representative extremes. On the one hand, a national government in a primate capital can monitor and regulate private forces at a (perhaps excessive) discount. On the other hand, private forces can more easily coordinate a response to the national government that can lead to violent overthrows of democratic regimes. These are the reasons why evidence has suggested that primate capitals can be bad for democratic stability in certain situations.⁸³

The primate capital has proven problematic for democratic consolidation because of the greater ease with which the state can increase state capacity.⁸⁴ The primate capital will feature the most important individuals from various industries and other private forces.⁸⁵ Because of their proximity to the national government, the national government can use its many parts to monitor these private forces. This monitoring may be facilitated by the number of those in government who previously worked in the private sector, and thus have the kind of relationships with those in the private sector that facilitate oversight.

The primate-capital government can use this more easily available information about private citizens in one of two ways. It can decide to ensure citizen satisfaction with government by buying them off with the provision of greater public goods. A national government aware of the private forces' displeasure may have a desire to target public services to these private forces.⁸⁶ With more

81. See Glaeser & Kohlhase, *supra* note 29, at 208; Schleicher, *supra* note 30, at 1520.

82. See Paul W. Rhode & Koleman S. Strumpf, *Assessing the Importance of Tiebout Sorting: Local Heterogeneity from 1850 to 1990*, 93 AM. ECON. REV. 1648, 1649 (2003).

83. See Ades & Glaeser, *supra* note 20, at 199.

84. See *id.* at 198–99.

85. See Gilles Duranton & Diego Puga, *Nursery Cities: Urban Diversity, Process Innovation, and the Life Cycle of Products*, 91 AM. ECON. REV. 1454, 1461 (2001).

86. See Campante & Do, *supra* note 57, at 6.

resources flowing to the private sector in the primate capital, there is more of a reason for those from outside of the primate capital to move to the primate capital in search of economic success. This, in turn, generates even more pressure to expand government to accommodate the demands of the new residents of the primate capital. In such a situation, the primate-capital government risks being too large and coercive for democratic consolidation.

The primate-capital government can also use the greater information it receives from its location to ensure citizen obedience through force rather than the provision of public goods. The primate-capital government can more easily determine which private forces pose a risk to the stability of the government. It can also more easily deploy intelligence or military force within the primate capital in response. This is part of the reason why dictatorships feature and generate such large central cities.⁸⁷ Dictatorships use coercive state power to ensure the compliance of a large range of forces.⁸⁸ Dictatorships located outside of a primate capital struggle to do this as well because it is more costly for dictatorships to project coercive power in distant locations.⁸⁹

At the other extreme, the primate capital increases the risk of democratic revolutions. Democratic revolutions are events determined by scale.⁹⁰ The more people available to overthrow the government, the greater the ease of assembling the kind of massive mob needed to do so. More than any other metropolitan area, the primate capital supplies a deep bench of individuals capable of organizing to overthrow a government. The twenty-million people in the Cairo metropolitan area provided ample support to generate a critical mass in Tahrir Square to overthrow the government in 2013.⁹¹

The representative resonance of the primate capital is another reason why the representativeness of the primate capital can go to excess. The fact that it was Tahrir Square hosting the protests in 2013 added to the resonance of the protests. The visual image of protestors occupying major government buildings and major streets signaled the importance of the uprising.⁹² Information about successful protest activity tends to spread quickly and generate

87. See Ades & Glaeser, *supra* note 20, at 195.

88. See *id.* at 198–99.

89. See Jonathan N. Markowitz & Christopher J. Fariss, *Going the Distance: The Price of Projecting Power*, 39 INT'L INTERACTIONS 119, 121–22 (2013).

90. See, e.g., DiPasquale & Glaeser, *supra* note 58, at 52–53.

91. See Ford, *supra* note 4; see also Jeremy Wallace, *Cities, Redistribution, and Authoritarian Regime Survival*, 75 J. POL. 632, 634 (2013) (“With increased urban concentration, there are more potential malcontents in geographic locations that threaten the economic and political livelihood of the regime.”).

92. See Ford, *supra* note 4.

other successful protest activity.⁹³ Protest activity in the primate capital can spread particularly rapidly.

IV. THE MAJOR-CAPITAL APPROACH

Another approach for the fragile democratic system is to place the national government in a major metropolitan area that is not a primate metropolitan area. This could be because there is no primate metropolitan area in a country and so there is no choice but to put the national government in a major metropolitan area that is not the primate metropolitan area (e.g., Washington, D.C., in the United States). Or, this could be because there is a primate metropolitan area, but a choice is made to place the national government in another metropolitan area (e.g., Ankara in Turkey, even though Istanbul could be considered the primate metropolitan area).

One caveat should be made to this major capital approach: it is possible only in rare circumstances to place the national government in a *minor* metropolitan area.⁹⁴ This is because national governments in the twenty-first century tend to be large and complicated endeavors that—because of their scale and size—inevitably turn the metropolitan areas around them into large and complicated endeavors as well. When there are smaller governments, it is possible that they could be placed in a minor metropolitan area.⁹⁵

Major capitals are similar to primate capitals in that the national government is part of a major metropolitan area. What differentiates major capitals from primate capitals is also what makes them less representative. With fewer private forces in the capital area, there are fewer of these forces represented in the national government. This also reduces the representative risks of the primate capital because the major capital undermines the capacity of the national government to monitor private forces and for private forces to monitor—and even overthrow—the national government.

93. See, e.g., Sophia J. Wallace et al., *Spatial and Temporal Proximity: Examining the Effects of Protests on Political Attitudes*, 58 AM. J. POL. SCI. 433, 445 (2014).

94. See generally Moser, *supra* note 26 (discussing Malaysia's decision to build a federal administrative capital in Putrajaya).

95. Consider the example of smaller American states like Vermont, whose capital is in Montpelier (with a population of less than 10,000). See *State & County QuickFacts—Montpelier (City), Vermont*, U.S. CENSUS BUREAU, <http://quickfacts.census.gov/qfd/states/50/5046000.html> (last updated Oct. 14, 2015, 4:36 PM). Or consider a smaller country like Grenada, with a capital of St. George of less than 40,000 people. See *About Grenada*, GOV'T GRENADA, http://www.gov.gd/about_grenada.html (last updated May 7, 2013, 10:15 AM).

A. *Officials in Major Capitals*

Major metropolitan areas that do not rise to the level of primate metropolitan areas will lack some part of a country's population. Metropolitan areas tend to specialize in particular industries.⁹⁶ If what defines a primate metropolitan area is that it has a little bit of everything, then what defines a major (but nonprimate) metropolitan area is that the major metropolitan area is missing a larger number of these industries. If the national government wishes to attract those missing forces to reside there and possibly work in government, it must endure substantial costs. A potential government staffer coming from another place in the country will have to be willing to pay the direct costs of relocating to the major capital. The potential government staffer must be willing to endure the opportunity costs of forsaking past personal and professional relationships. All of this must be done for the uncertain benefit of service in government in the major capital. That service must be long and substantial enough to generate future returns if the staffer wishes to stay in the major capital, or related enough to industries in their previous place of residence that government service will generate future returns upon returning to the previous place of residence.

What this means, then, is that the decision to place the national government in a major metropolitan area—and the particular major metropolitan area selected—is and is seen as an act of affiliation. Additionally, if the major metropolitan area is already home to other substantial industries, then the placement of the national government there is and is seen as affiliating with these other major industries. The decision to place the first democratic regime of Ukraine in Kiev, for instance, was a signal of affiliation with more Western-oriented forces that had been causing problems for the more Russian-oriented interests in other parts of the country.⁹⁷ In many situations, the major metropolitan area is not home to enough other substantial industries to overcome the placement of the national government there.⁹⁸ The major capital then becomes a company town, with the company being the government.

96. See Sukkoo Kim, *Expansion of Markets and the Geographic Distribution of Economic Activities: The Trends in U.S. Regional Manufacturing Structure, 1860–1987*, 110 Q.J. ECON. 881, 903 (1995); Sukkoo Kim, *Regions, Resources, and Economic Geography: Sources of U.S. Regional Comparative Advantage, 1880–1987*, 29 REGIONAL SCI. & URB. ECON. 1, 1–2 (1999).

97. See Chrystia Freeland, *Kiev Protests: Ukraine's Democracy Fatigue*, PROSPECT MAG. (Feb. 19, 2014), <http://www.prospectmagazine.co.uk/features/ukraine-euromaidan-yanukovych-protest-kie>.

98. See, e.g., *Ukraine Economy: How Bad Is the Mess and Can It Be Fixed?*, BBC (May 1, 2014), <http://www.bbc.com/news/world-europe-26767864>; see also Daryna Krasnolutska & Volodymyr Verbyany, *Cracks in Ukrainian Economy Surface Beyond Kiev's Cloak of Calm*, BLOOMBERG BUS. (Mar. 1, 2015, 5:00 PM), <http://www.bloomberg.com/news/articles/2015-03-01/ukrainian-economy-starts->

B. *Official Interactions in Major Capitals*

The private forces that are missing from the major capital not only reduce the range of people that will serve in government, but also reduce the range of people that the national government will be able to monitor. With private forces farther away, national governments have different choices of how to monitor them, none of which are as efficient as the primate-capital approach. National governments can themselves decentralize, opening offices within the government that are located outside of the major capital and report to officials in the major capital. National governments can rely on subnational governments to monitor these private forces outside of the major capital. In either situation, though, the distance between these government officials doing the monitoring generates substantial agency costs.⁹⁹

The private forces that are missing from the major capital are also less able to interact with the national government. This can be good if these private forces missing from the capital are undermining democratic consolidation, which can also undermine the democratic process in the national government.¹⁰⁰ Many Latin American countries transitioning to democracy benefited from the absence of authoritarian forces in the capital metropolitan area.¹⁰¹ This can be bad if these private forces missing from the capital are crucial to democratic consolidation. Before Lagos was the clear Nigerian primate metropolitan area, the absence of certain tribes from Lagos made the Nigerian national government never fully representative of the entire country.¹⁰²

Because these private forces are missing from major capitals, the risks of revolutions in major capitals are lower than the risks of revolutions in primate capitals.¹⁰³ There are problems of scale in the major capital, meaning that there might not be enough people or private power to overthrow the national government. There are also problems of control in the major capital, meaning that simply capturing the major capital does not capture the entire governmental infrastructure of the country (there will be

to-buckle-behind-cloak-of-calm-in-kiev (detailing further the problems with the Ukrainian economy).

99. See, e.g., Dana Priest & William M. Arkin, *Monitoring America*, WASH. POST, <http://projects.washingtonpost.com/top-secret-america/articles/monitoring-america/1> (last visited Oct. 26, 2015) (discussing how the Department of Homeland Security monitors smaller, distant agencies at a high cost).

100. See David Fontana, *The Narrowing of Federal Power by the American Political Capital*, 23 WM. & MARY BILL RTS. J. 733, 736 (2015).

101. See, e.g., Edward L. Gibson, *Boundary Control: Subnational Authoritarianism in Democratic Countries*, 58 WORLD POL. 101, 131–32 (2005).

102. See Omolade Adejuyigbe, *The Case for a New Federal Capital in Nigeria*, 8 J. MOD. AFR. STUD. 301, 304 (1970).

103. See Fontana, *supra* note 100, at 754–55; Goldberg, *supra* note 10 (manuscript at 9).

government officials or sympathizers in other metropolitan areas who must be captured too).

V. THE NEW-CAPITAL APPROACH

Another approach—a particularly expensive one—is to construct a new metropolitan area to house the national government. The ambitions of the new capital are usually explicitly representative: a new capital will be a new (democratic) start that will give everyone a chance to work for and access the national government.

A. *Officials in New Capitals*

One of the arguments for the new capital is that it creates the potential for equal representation in government. Existing metropolitan areas make it easier for some forces to reside and work there. Those already residing in a metropolitan area are more likely to stay there than those who are not from the metropolitan area to move there.¹⁰⁴ By contrast, everyone has to endure the direct costs of relocation to move to the new capital. Everyone has to endure the opportunity costs of forsaking existing personal and professional relationships in their place of origin. The new capital is the equal capital.

There are limitations to the idea of the new capital as the equal capital. The new capital has to be located somewhere in the country. If it is centrally located, that fact might increase the chance that it is equally accessible to all in the country.¹⁰⁵ Even then, differences in transportation networks might not make it equally accessible from all parts of the country. A new capital is also a company town, dedicated to hosting the national government. This means that some people—particularly those less interested in a career in or debates about government—will be less inclined to relocate to the new capital.¹⁰⁶

B. *Official Interactions in New Capitals*

Official interactions in the new capital are likely to be with a narrower range of private forces than in the primate or major capital. The new capital is specifically constructed to be a company town—that is what makes it a “new” capital. The result is that

104. See Jae Hong Kim, *Residential and Job Mobility: Interregional Variation and Their Interplay in US Metropolitan Areas*, 51 URB. STUD. 2863, 2866, 2867 fig.1 (2014).

105. James Madison remarked at the Constitutional Convention that it was important that “every part of the community should have the power of sending, with equal facility, to the seat of Government such representatives . . .” 1 ANNALS OF CONG. 862 (1789) (Joseph Gales ed., 1834).

106. See Fontana, *supra* note 100, at 745–46.

there will be a narrower range of private forces existing in the new capital.¹⁰⁷ Those with the greatest incentive to base themselves in the new capital will be those working for, or closely with, the national government, excluding from the new capital many other private forces. This situation may constrain the capacity of the national government to monitor the limited number of private forces in the new capital, but it may also constrain the capacity of private forces to monitor the national government because so few of them will be in the new capital.

Even with their narrowing effects, new capitals tend to be dynamic places characterized by creativity rather than narrowness.¹⁰⁸ The mere act of serving in the new capital is meant to generate new officials. New locations disrupt established and problematic practices and serve as a place of “creative destruction.”¹⁰⁹ Conventional wisdom tends not to travel well across space.¹¹⁰ Some countries, such as Malaysia, move capital cities to distance themselves from corrosive colonial pasts and create new patterns of government.¹¹¹

CONCLUSION

Democratic revolutions tend to be affiliated with particular places. Not many outside of Egypt knew of Tahrir Square before, but now Tahrir Square is known as the home of the Egyptian Revolution of 2011 and a central place in the story of the Arab Spring. The Berlin Wall is the place known as the home of the democratic revolutions in 1989. Place is at the core of our narratives of how countries start the democratic process.

Place also needs to be at the core of our narratives of how countries continue—and fail or succeed—at the process of democratic consolidation. This Symposium Essay has attempted to start that conversation by focusing on one aspect of place and democratic consolidation: where the capitals of national

107. See *id.* at 739, 754 (describing how the dominance of the federal government in Washington D.C.’s economy limited the influence of private forces).

108. See Moser, *supra* note 26, at 285 (describing Malaysia’s new capital Putrajaya as “a stable, prosperous, progressive, and technologically sophisticated Muslim country, [that] at the same time, showcase[s] Malaysia’s rootedness in traditional culture and religion.”).

109. Cf. JOSEPH A. SCHUMPETER, CAPITALISM, SOCIALISM AND DEMOCRACY 83 (1942) (“This process of creative destruction is the essential fact about capitalism.”).

110. See Meric S. Gertler, *Tacit Knowledge and the Economic Geography of Context, or the Undefinable Tacitness of Being (There)*, 3 J. ECON. GEOGRAPHY 75, 79 (2003) (identifying tacit knowledge as hard to transmit across distance).

111. See Moser, *supra* note 26, at 289 (“[T]he construction of a new capital was seen to be . . . a move that would distance Malaysia from its colonial past while emphasizing its new identity as a sovereign nation.”).

governments are placed and how that shapes the representative nature of new democratic regimes. If we want to know who will work for and with democratizing regimes, we need to know where these regimes will be.