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PRISON LABOR: THE PRICE OF PRISONS AND
THE LASTING EFFECTS OF INCARCERATION

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ABSTRACT

Institutions of justice, like prisons, can be used to serve economic and other extrajudicial interests, with lasting deleterious effects. We study the effects on incarceration when prisoners are primarily used as a source of labor using evidence from British colonial Nigeria. We digitized 65 years of archival records on prisons from 1920 to 1995 and provide new estimates on the value of colonial prison labor and the effects of labor demand shocks on incarceration. We find that prison labor was economically valuable to the colonial regime, making up a significant share of colonial public works expenditure. Positive economic shocks increased incarceration rates over the colonial period. This result is reversed in the postcolonial period, where prison labor is not a notable feature of state public finance. We document a significant reduction in present-day trust in legal institutions, such as the police, in areas with high historical exposure to colonial imprisonment; the resulting reduction in trust is specific to legal institutions.

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1 Introduction

Across Europe's African colonies, prisons were viewed as a legally sanctioned means of addressing chronic labor shortages and minimizing the costs associated with hiring wage labor to construct and maintain public infrastructure like the railroad and roads. Unlike other parts of colonial administration which were often characterized by indirect rule, where local officials exerted significant influence over economic extraction activities like tax collection from local populations, colonial prisons were administered directly by colonial officials who maintained detailed records on the use of prison labor, exemplified by the below quote from Inspector Jackson in Nigeria (Archibong, 2019; Lowes and Montero, 2021a).

“The Prison at Port Harcourt has been considerably developed and at the close of the year there were 829 prisoners in custody and these are employed by the Eastern Railway. The Engineer in charge at Port Harcourt is highly pleased with the way the prisoners are worked; they have given no trouble and have been of great assistance in developing that station. It was my intention to have 1,000 prisoners stationed there before the close of the year, but this was impossible as two prisons...which should have supplied the drafts to make up the number, had an outbreak of chicken-pox...”

- E. Jackson, Acting Inspector of Prisons, *Lagos, April 23, 1915*

These records provide a window into the economics of colonial extraction using formal legal institutions. The historical evidence allows us to answer important questions on the economics of colonial institutions, including why and how prison labor was so valuable to the colonial regime, the incentives for incarceration that arose from colonial governments viewing African prisoners primarily as a reserve of labor, and the long-term effects of the colonial prison labor system on populations' views of state legitimacy and contemporary trust in legal institutions. They also provide important contrasting evidence to the hypothesis that European colonizers, focused on extraction, established weak institutions to enable this extraction, and that strong institutions, centered on laws protecting property rights, led to positive long-run development outcomes (Acemoglu and Robinson, 2001; Dell and Olken, 2020). The evidence from colonial prison labor institutions in Africa illustrates that a complex, formal system of prisons, laws, courts and police was crucial for economic extraction in Europe's African colonies, with negative short-run and long-run consequences for local African populations. The case of colonial prison labor highlights an important insight on the development effects of colonial institutions- that the implementation of these institutions,

not just whether or not they were “inclusive” or “extractive”, was important for determining their impacts on economic development.

We study the economics of colonial prison labor and its long-run effects on African development using evidence from British colonial Nigeria, covering a period between 1920 and 1959¹, when prison labor was a feature of state public finance and administration; and from postcolonial Nigeria, covering a period between 1971 and 1995, when prison labor was not a major feature of state finance. We construct a novel dataset from 65 years of archival records on prisons from 1920 to 1995, assembling data on prisons, wages, prices, and colonial public finance from colonial and postcolonial archives, along with geocoded climate information from high-resolution NASA data to test our hypotheses. Our new dataset represents one of the most comprehensive records on the economics of colonial prison labor and incarceration in Africa, spanning both the colonial and postcolonial periods. Colonial Nigeria is an informative region in which to study these issues for a number of reasons. Notably, colonial Nigeria had relatively high incarceration rates. As of 1940, the British colonial government in Nigeria was incarcerating more people (0.3%-0.4%) than the United States (0.1%) and countries in Europe over a similar period (0.06% in 1950) (Muller, 2021; Jacobson, Heard, and Fair, 2017). To put these figures in context with contemporary data, Figure 1 presents the top 40 of 222 countries/jurisdictions in the world as of 2018 by incarceration rate. If we place colonial Nigeria’s incarceration rate in 1940 on the chart, it would have ranked at number 15 of 222 in 2018, right between the Seychelles and Panama. Nigeria incarcerates a much lower share of people currently, ranking at around 211 of 222 by World Prison Brief estimates.

We conduct our analysis in three steps. First, to understand why prison labor was so valuable to the colonial regime, we calculate the value of unpaid prison labor, and estimate the share of prison labor in colonial public finance. A key insight from the historical archives is that prison labor on government public works was a mandated aspect of incarceration, as part of explicit colonial policy, and prisoners were not paid a wage for their labor.² Unpaid prison labor was a key input in the construction and maintenance of essential revenue-generating public works, such as the railroad, which was used to transport agricultural commodities for export. We estimate the value of unpaid wages to prisoners or unpaid

¹Nigeria as an amalgamated entity was a British colony from 1914 to 1960; hence, our dataset covers almost 40 of the 47 years of the colonial period. The country was under military rule for most of 1960 to 1999, before transitioning to democracy in 1999.

²The 1916 Prison Ordinance explicitly outlined the use of convict labor explicitly (Kingdon, 1923).

prison labor and show that it was economically valuable to the colonial regime. The overall gross value of prison labor was strictly positive over the entire colonial period. Even after accounting for the most expansive set of prisoner maintenance costs, the net value of prison labor was nonnegative in 60% of the years from 1920 to 1959 in Nigeria. On average, the gross value of prison labor was more than double the amount spent by the colonial government on public works between 1920 and 1959.

Second, we show that, faced with labor shortages and aiming to minimize the costs of administration, the colonial regime used prison labor to address their economic needs. Chronic labor shortages were an endemic feature of the labor market in colonial Africa due to the joint factors of high land to labor ratios, rising demand for labor for colonial construction and subsequent relatively high prices of labor (van Waijenburg, 2018). Historical evidence suggests that incarceration rates increased when there was a shortfall of labor for construction and maintenance of public works; this was particularly true during periods of positive agricultural productivity shocks, when agricultural wages increased and wage labor was relatively more costly to attain (Abiodun, 2017; Bernault, 2007). Labor shortages and tight labor markets, worsened by wage ceilings in the government public works sector, increased the demand for unpaid prison labor, in line with predictions from theoretical models of labor coercion (Acemoglu and Wolitzky, 2011). One way colonial authorities addressed these labor shortages was to increase the number of incarcerated individuals by, for instance, increasing prosecutions of minor, misdemeanor crimes, and switching the punishment of these crimes from fines to imprisonment (Killingray, 1999). The use of prison labor continued through the end of the colonial period in 1960. After independence, prison labor became less important for the regime. The discovery of oil in 1956 and an oil price boom in the 1970s, along with increased protests from labor unions, led to a steep decline in the use of prison labor in postcolonial Nigeria (Abiodun, 2017).

We quantitatively test these historical accounts of the effects of labor demand shocks on incarceration and the use of colonial prison labor by estimating the effects of shocks to economic productivity on incarceration rates using a panel regression framework. We construct two measures of shocks to economic productivity. The first measure uses agricultural commodity export prices and district-level crop suitability, and the second measure exploits district-level rainfall deviations in a primarily agricultural setting. We show that the incarceration rate is procyclical during the colonial period. Positive economic shocks increase the colonial incarceration rate and the use of prison labor. The positive effect is specific to the short-term incarceration rate only, with shocks increasing the share of prisoners with

short sentences of fewer than six months. There is no effect on incarceration of prisoners with sentences longer than two years. Using an index of export crop prices, we show that a 10% increase in export prices for a major cash crop in producing regions is associated with a 5% increase in short-term incarceration relative to the sample mean. In a second specification, moderate positive rainfall shocks that raised agricultural productivity, increased the short-term incarceration rate by 16.7 prisoners per 100,000 people, representing a 12% increase relative to a mean of 134.7. This effect is reversed in the postcolonial period wherein prison labor is not a main feature of state policy, and negative productivity shocks increase the incarceration rate. The results provide support to the qualitative historical evidence on the use of prison labor to address labor shortages in the colonial period, but not in the postcolonial period.

To provide further evidence on the mechanisms driving the colonial incarceration results, we test the tight labor market hypothesis by examining the effects of rising wages on the rate of incarceration and how this varied depending on a prison's distance to the colonial railroad. The rationale here is that since a major use of prison labor was for the construction and maintenance of the railroad, examining the correlation between wages and incarceration rates at prisons around the railroad can provide insights into how demand for colonial prison labor changed during periods of higher wages. While short-term sentenced prisoners near the railroad were generally used as a reserve of unpaid labor for railroad construction and maintenance, rising wages intensified the demand for unpaid prison labor. To increase the use of prison labor, colonial officials would need to increase the numbers of prisoners in prisons farther away from the railroad as well, since prisons farther away from the railroad generally had fewer prisoners, on average, than those closer to the railroad. In other words, prisons that were located farther away from the railroad potentially had more space to respond to increased demand for prisoners since they generally had fewer prisoners than prisons close to the railroad. Prisoners, by law, could not be transferred across districts, but could be transferred from one prison to another within the same district (Foreign and Office, 1947). Colonial officials could then transport prisoners within the colonial district to conduct work on the railroad and associated public works as needed during periods of labor shortages and tight labor markets. The results show that when wages increased, prisons farther away from the railroad but within the same district, experienced an increase in the number of prisoners incarcerated for short-term sentences. We also provide suggestive evidence of the sentence-switching channel, and show that increasing the prison sentences of prisoners that were already incarcerated may be one way that colonial officials intensified the use of prison

labor in response to labor demand shocks.

Finally, in the third step of our analysis, we study the long-run effects of colonial use of prison labor on present-day trust in legal institutions. The judicial system in colonial Nigeria was highly centralized, with the colonial courts working in concert with prison officials and police to “maintain law and order”, protect European property, and meet the revenue objectives of the colonial government under the prison labor system (Rotimi, 1993; Onoge, 1993). The police were often the first point of contact with the judicial system for local populations and were especially involved in enforcing tax collection, including tax raids and arrests associated with violations of colonial crimes. They were also notoriously feared for their frequent use of violence against local populations. Much of the administrative structure of the judicial system remained in place through the postcolonial period. Since the origins of the modern prison and accompanying legal system in Nigeria and other former British colonies are rooted in the use of state policy around labor coercion, what are the long-term effects, if any, of exposure to these systems on populations’ trust in these institutions? We use Afrobarometer data on trust in historical legal institutions in Nigeria (e.g., police, courts, and tax administration) to examine whether past exposure to coercive, ostensibly economically influenced, colonial prison systems is associated with current trust in legal institutions. We document a significant reduction in contemporary trust in legal institutions, and police, in particular, in areas with high historic exposure to colonial imprisonment. The resulting reduction in trust is specific to legal institutions, with no evident effect of colonial imprisonment on interpersonal trust in individuals.

We add to several literatures and debates on the effects of historic, particularly colonial era, institutions on economic development (Lowe and Montero, 2021*a*; Dell and Olken, 2020; Michalopoulos and Papaioannou, 2016, 2014; Acemoglu and Robinson, 2001). Our paper illustrates that “inclusive”, strong formal institutions and laws can be implemented in ways that actually reduce economic returns to local populations in the short-run, through their incarceration and use for unpaid labor, and weaken contemporary institutions in the long-run by lowering trust in the judicial system. While previous work has examined the long-run impacts of institutions like the slave trade (Nunn, 2008), colonial labor concessions (Dell, 2010; Lowe and Montero, 2021*a*; Dell and Olken, 2020) and health (Lowe and Montero, 2021*b*; Alsan and Wanamaker, 2018) on development outcomes, interpersonal trust (Nunn and Wantchekon, 2011; Okoye, 2021) and trust in modern medicine (Lowe and Montero, 2021*b*; Alsan and Wanamaker, 2018), our paper breaks new ground by exploring the incentive effects of colonial prison labor systems and their long-term impacts on societal trust in legal

institutions. This kind of exploration is needed, particularly in light of research linking environments of low trust in legal institutions and low views of state legitimacy with conflict (Rohner, Thoenig, and Zilibotti, 2013), low domestic investment and higher transaction costs from weak contract enforcement (Knack and Keefer, 1997), as well as issues such as effective policing, crime, and law enforcement (O’Flaherty and Sethi, 2019).

We also add to the literature on the economics of forced labor and coercive labor contracts (Acemoglu and Wolitzky, 2011; Bobonis and Morrow, 2014; Dell, 2010; Gregory and Lazarev, 2013; Juif and Frankema, 2018; Lowes and Montero, 2021*a*; Naidu and Yuchtman, 2013; van Waijenburg, 2018; Saleh, 2019; Dippel, Greif, and Treffer, 2020; Sokoloff and Engerman, 2000). Research in this area has examined the impacts of economic shocks on coercive contract enforcement (Naidu and Yuchtman, 2013), and estimated the share of forced labor in colonial public finance (van Waijenburg, 2018). However, there is very little evidence on the economics of prison labor. Most research on convict labor is concentrated on the United States and focused on the institution of convict leasing in the 19th century when Black-Americans, in particular, were economically exploited by the US government, in concert with private employers, for their labor (Muller, 2018, 2021; Poyker, 2019; Travis, Western, and Redburn, 2014; Cox, 2010). A key difference between the US convict leasing system and the use of prison labor in British colonial Nigeria, is that while, prisoners were primarily used by private employers in the US, prison labor in British colonial Nigeria was mainly used by government employers, with different resulting implications for the effects of labor demand shocks on incarceration rates across the two systems (Muller, 2018, 2021; Poyker, 2019).³ Relatedly, we add to the literature on the economics of incarceration (Becker, 1968; Avio, 1998; Katz, Levitt, and Shustorovich, 2003). While previous work has focused on the effects of crime and prison conditions on incarceration rates and recidivism (Becker, 1968; Freeman, 1999; Bhuller et al., 2020; Katz, Levitt, and Shustorovich, 2003), we highlight the role of economic shocks in increasing incarceration under coercive state institutions.

The paper is organized as follows: Section 2 provides historical background on prison labor in colonial Africa. Section 3 reports quantitative estimates of the value of prison labor to the colonial regime. Section 4 describes the data on incarceration and economic shocks,

³While similar systems of coercive laws, courts and policing worked to coerce Black labor in the US and Nigeria, the differences in the uses of prison labor led to varying implications for the effects of labor demand shocks. White private sector employers were able to both affect incarceration rates and draw on imprisoned Black populations under the US system, in ways that they could not under the British colonial system, leading to sometimes opposite effects of labor demand shocks on incarceration and the demand for convict labor across the two systems (Muller, 2018, 2021).

and presents the results on the effects of economic shocks on the incarceration rate and the use of prison labor. Section 5 discusses the links between colonial imprisonment and contemporary trust in legal institutions. Section 6 concludes.

2 Prison Labor in Colonial Africa

2.1 A History of Forced Labor

Prison labor was a small aspect of a larger regime of domestic forced labor in colonial Africa. European colonial governments were tasked with pursuing strategies to maximize revenue while minimizing the cost of administration in Africa (Gardner, 2012). Attempts to raise revenue to fund expenditures on key public works projects, such as roads and railroads, which were necessary for both revenue extraction from cash crop exports and expansion of colonial control, depended crucially on the colonial government’s ability to raise revenue through direct or indirect taxation, and cut costs associated with spending on capital and labor. Labor shortages were an endemic feature of African colonies (Okia, 2012; Ash, 2006). Shortages were partly driven by an unattractive wage labor market for government projects, which itself was partly spurred by artificially imposed below market wage compensation, set both as a cost-cutting measure and to prevent competition with the private sector⁴ (Okia, 2012; Maul, 2007; Ofonagoro, 1982).

European colonialists were particularly concerned with the “Africa labor question,” wherein, faced with the joint realities of labor shortages and colonial objectives to minimize labor costs and maximize revenues, colonial administrators questioned how much coercion a “civilized government” could use to attain labor (Cooper, 1996; Buell, 1965). After numerous colonial forced labor scandals,⁵ the Forced Labor Convention at the 1930 International Labor Organization (ILO) conference was passed. The Forced Labor Convention prohibited the use of forced labor for private industry, defining forced labor as “all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (Cooper, 1996).⁶ Crucially, the Convention made exceptions for the use of forced labor for public works, “penal and communal labor in the public sector and compulsory military service” (Kunkel, 2018; Killingray, 1989).

⁴And also to satisfy the economic and political demands of white settler employers in colonies like Kenya (Okia, 2012).

⁵Most infamous of which was the torture and murder of millions of Congolese for the rubber extraction trade under Belgium’s King Leopold (Lowe and Montero, 2021a).

⁶ILO 29, Article 2 s 2a, c, e, Articles 4 and 5

The answer to European colonial administrators’ “Africa labor question” involved the institution of various coercive labor regimes, enforced by legislation and through the participation of local chiefs or Native Administrators. Among these strategies included the use of direct taxation, such as hut and poll taxes requiring cash payment, to induce Africans into the colonial wage labor market; the use of labor tax legislation to force Africans to donate a certain number of hours of often unpaid labor to private and public sector work; and the use of precolonial communal labor requirements to compel Africans, under the direction of the chiefs, to provide unpaid labor for private and public works projects (Okia, 2012; Harris, 1914; Trevor, 1936; van Waijenburg, 2018; Cooper, 1996). The consequences for flouting such legislation were often fines and imprisonment (Okia, 2012). Another important source of forced labor for the colonial public sector, sanctioned by the ILO Forced Labor Convention, was convicts (Hynd, 2015; Bernault, 2007).

2.2 The Prison System in British Colonial Nigeria

Prison was not a main feature of judicial punishment prior to colonial rule across much of Africa (Bernault, 2007).⁷ In British colonial Nigeria, which lasted formally from 1914 to 1960⁸, labor taxes and labor laws worked in concert with Masters and Servants Ordinances, vagrancy laws, labor registration, pass laws, and Native Authority Ordinances that mandated the exploitation of African laborers to work on colonial public works projects (Hynd, 2015).⁹ There was also military conscription, with Africans conscripted as laborers for wartime construction and general non-combatant labor (Killingray, 1989).¹⁰

As previously noted, the consequences for flouting this legislation often included fines and imprisonment. The goal of the prison system, codified in colonial law with the 1916 Prisons Ordinance, was twofold. First, prisoners worked as punishment for crimes, as defined by the colonial government; and second, unpaid prisoners were viewed as a source of cheap labor, particularly for work on public infrastructure projects in the colonies (Adamson, 1984). In Nigeria, by law, prisoners were only allowed to work for government agencies in the public sector and not for private sector employers (Kingdon, 1923; Abiodun, 2017; Foreign and

⁷The popular punishment for transgressions within communities included ridicule ceremonies, community sanction and exile in the most severe cases (Bernault, 2007; Onoge, 1993).

⁸Although the British colonial presence in the region dated back to 1860 (Archibong, 2019).

⁹These laws were widely used throughout colonial Africa, and were very similar to the Black Codes used to coerce African-American labor in the US in the 19th century (Adamson, 1984).

¹⁰Forced labor for military service was permitted under the ILO Forced Labor Convention and also used extensively during wartime. A notable instance of the use of this labor was during World War II where thousands of Africans were conscripted to work on various tasks like porters, builders and cleaners, for the British colonial government (Killingray, 1986).

Office, 1947).¹¹ Additionally, prisoners could not be transported across long distances and were legally bound to work only within their provincial districts (Foreign and Office, 1947).

Under the 1916 ordinance, Nigeria’s colonial prison system was initially administered as a dual system, with colonial prisons under the direct supervision of colonial government officials and the management of the Director of Prisons, and Native Authority prisons directly overseen by the local chiefs and indirectly supervised by colonial government officials (Kingdon, 1923).¹² Figure 2 presents the distribution of colonial prisons, provinces and regions in Nigeria along with the distribution of the colonial railroad. The colonial railroad was primarily constructed between 1900 and 1930, and was functional only through the end of the colonial period (Okoye, Pongou, and Yokossi, 2019). The railroad, like the road networks and other colonial public works infrastructure, was largely used to transport agricultural commodities and mineral resources to the coast for export. Prisoners made up a substantial part of the labor on colonial public works like the railroad, and prisons were frequently located along key public works infrastructure like the railroad, as shown in Figure 2, to minimize costs of transportation, and adhere to the 1916 Ordinance prohibiting transport of prisoners across provinces (Ekechi, 1989; Foreign and Office, 1960).¹³ Under the 1916 Order in Council Act, colonial prisons were strictly classified into three types based on lengths of prison sentence, including convict prisons, with prisoners serving two or more years to life sentences; provincial prisons, with prisoners serving greater than six months and less than two-year sentences; and divisional prisons, with prisoners serving less than or equal to six-month sentences (Kingdon, 1923; Abiodun, 2017). Most prisoners had shorter sentences of fewer than two years, with 65%-90% of convicts in provincial or divisional prisons (Hynd, 2015).

2.3 Labor Shortages, Public Works and Prison Labor

To address chronic labor shortages and minimize the costs associated with hiring wage labor to construct and maintain public works like the railroad and roads, colonial governments regularly used prisoners for labor. Prisoners in colonial Nigeria worked almost entirely on

¹¹This is unlike in another well-known prison labor system, the US convict leasing system in the 19th century where prisoners were leased to private companies (Muller, 2018).

¹²There is little historical information on the functioning of the Native Authority prisons, and we refer to records on colonial prisons in this study. This means the number of colonial prisoners presented here represent only a fraction of the total number of individuals imprisoned during this period. We discuss this further in Section 3 and in Appendix A.2. Prisons were also administered by northern and southern regions, and further detail on this is also provided in Appendix A.2.

¹³This strategic placement of prisons and prisoners around key infrastructure like the railway is highlighted in the opening quote from Inspector Jackson.

public works projects (Hynd, 2015; Bernault, 2007). In Nigeria, by law, all able-bodied prisoners were mandated to work, and only prisoners who had been sentenced could work (Report, 1925).¹⁴ Additionally, prisoners were completely unpaid for their labor. Particularly during periods of labor shortages, prison departments would hire out unpaid prison labor to other colonial government departments. These departments would then pay a small fee to the Prisons department based on the assessed skill needed from the prisoner.

Prisoners were largely engaged in unskilled labor, and prison departments classified prisoners' labor into three categories of unskilled hard labor, skilled hard labor (sometimes referred to as industrial labor), and light or domestic labor.¹⁵ Unskilled hard labor included tasks like quarrying, breaking rocks, felling trees, and other activities for road-making and railway station upkeep, and was largely assigned to prisoners with short-term sentences of less than six months. Skilled hard labor included tasks like basket-weaving, brick-making, tailoring and carpentry, and was usually assigned to prisoners with long-term sentences of greater than two years.¹⁶ Light labor was frequently assigned to sick or old prisoners, or the 6% of female prisoners within the colonial prison system. In southern Nigeria, between 73% and 91% of prisoners were engaged in either hard or light labor between 1920 and 1938.¹⁷ Prisoners engaged in hard labor alone constituted over 70% of convicts over the same period. The top consumers of this unpaid prison labor were government departments, including Public Works, Railways and Harbors, Public Health, and Education (Hynd, 2015; Report, 1925).

Prison labor, sourced primarily from prisoners with short-term sentences who made up the vast majority of the prison population (76% of sentenced prisoners in Nigeria between 1920 and 1938), was invaluable to the construction of colonial public works and infrastructure¹⁸. Their labor significantly contributed to public works projects such as quarries and

¹⁴Between 9% and 26% of prisoners were considered "unfit" for work either due to being non-sentenced debtors, not yet sentenced individuals in custody awaiting trial, or being too sick to work. Source: British Blue Books, Nigeria, multiple years.

¹⁵Source: Annual Report on Prisons in Nigeria, 1940.

¹⁶The rationale provided by colonial prison officials was that these prisoners could be taught a skill given their long sentences, whereas, prisoners with short-term sentences would not have enough time to learn a skill. Prisoners in this skilled hard labor category produced items like uniforms that were then sold to other government departments for profit. Prison labor was reserved exclusively for government use, and colonial officials were careful to choose sectors for convict labor in order to avoid competing with private industries. Source: Annual report on the Treatment of Offenders, 1947, British Blue Books and Annual Report on Prisons, 1920-1959

¹⁷Source: British colonial Blue Books, multiple years.

¹⁸A regular section in the colonial prison reports highlighted the value of prison labor as shown in Figure A2 in the Appendix.

coalfields in southern Nigeria; the Eastern Railway extending from Port-Harcourt in Owerri province was constructed using large gangs of prison labor, and prisoners engaged in station upkeep worked across southeastern Nigeria through the 1950s (Hynd, 2015; Ekechi, 1989; Abiodun, 2017; Foreign and Office, 1960). Prisoner maintenance costs included expenditures to feed, clothe and house prisoners, the costs of prison staff salaries, and all other expenditure involved in operating the prisons. Tight labor markets worsened labor shortages, and periods of higher average annual wages were positively correlated with a larger daily number of people in prisons as shown in Figure 3.¹⁹

The recruitment of prisoners to address labor shortages was also explicitly acknowledged by colonial officials. In one infamous account, a British sanitary inspector wrote to colonial government officials to request increased funds to employ more wage labor. The officials denied his request, and “The officials asked the prison department to find ways to either increase the prison population or recruit convicts from outstation prisons to complete the tasks”.²⁰ In another example, in the 1916 Annual Report on Prisons, the Inspector of Prisons, W.H. Beverley, lists two main reasons for creating categories of prisons according to prison sentence:

“(a) to place ‘special prisons’ in townships which are on good lines of communication and afford the most suitable description of penal labour. (Abeokuta, Enugu, Lagos, and Port Harcourt, on the eastern and western lines of the Nigerian Railway, provide quarrying, industrial work, labour connected with shipping and transport, etc.)” and (b) “the ensuring, as far as possible, of an automatic and constant supply of prisoners to each class of prisons. At the end of the year, the system appeared to be working well; the prison population was evenly distributed, and nowhere was there shortage of convict labour.”

So significant was the role of prison labor in colonial fiscal accounting, that in 1911, the Governor of Northern Nigeria remarked that “The value (calculated at 2/3 of the market rate) of prisoners’ labor in connection with public works, which would otherwise have had to be paid for in cash was 3,878 pounds. If calculated at the ordinary market rates the value of the prisoners’ useful labor would have exceeded the entire cost of the Prison Department” (Salau, 2015). The use of prison labor to address labor shortages in the public works sector

¹⁹The correlation between the daily average numbers in prison and the average annual wage to unskilled laborers is 0.87, $p < .001$. We discuss these trends in detail in Section 3.

²⁰NAI, CSO 26/2 09591 Vol.1 ‘Lieutenant Governor Southern Province to Resident Calabar Province: Memorandum on Prison labor’ 23rd April 1923.

continued through the end of the colonial period. By the year of independence in 1960, both incarceration rates and the use of prison labor had diminished, as shown in Figure 4. As of 1938, 0.2% of the local population was incarcerated; that share had fallen to 0.06% of the population by 1995. While the laws allowing prison labor for government use remained in place through the postcolonial period,²¹ the discovery of oil in 1956, followed by an oil price boom in the 1970s, altered Nigeria’s tax revenue structure, and the majority of government revenue transitioned from the agricultural commodities of the colonial period to direct taxes from petroleum.²² With the transformation to a capital-intensive oil revenue base, the need for a large base of unskilled labor for public works construction and maintenance with the goal of agricultural commodity extraction declined in the postcolonial period. This change in the government revenue base, along with increased protests from labor unions, led to a decline in the use of prison labor in postcolonial Nigeria (Killingray, 1999; Abiodun, 2017).

2.4 Crime and Punishment

Although there is limited disaggregated data on the types of crimes individuals were convicted of during the colonial period, available data from colonial records in Nigeria show that, on average, 61% of total convictions in colonial courts were from “offences against revenue laws, municipal, road and other laws relating to social economy of the colony” between 1920 and 1939, as shown in Figure 5.²³ These offenses included defaulting on tax payments, and violations of vagrancy, labor ordinance, township ordinance (which restricted the movement of Africans in the provinces), and other similar, minor, “misdemeanor” laws.²⁴ Combined with “miscellaneous minor offences” which included crimes like “drunk and disorderly”, “witchcraft,” and other crimes against “public morality”, these minor misdemeanor offenses accounted for 76% of colonial court convictions between 1920 and 1939. Fines were most frequently assigned as the main punishment for these misdemeanor crimes, with imprisonment sometimes assigned as punishment, or assigned for individuals who were unable to pay the fines, at the discretion of the colonial court magistrate (Hynd, 2015). An impor-

²¹Prison labor was never completely abolished as a feature of imprisonment in Nigeria, and prison labor as mandated by constitutions in Nigeria since independence (e.g., the 1979 and 1999 constitutions), continues to be a feature in prison (Shajobi-Ibikunle, 2014). More recent constitutional changes have implemented stricter mandates regarding the work of prisoners, in many cases, limiting work to within the prisons, with more rhetoric around the rehabilitation and reformation of prisoners under The Nigerian Prisons Service and Article 9 of the 1972 Prison Act (Tanimu, 2010).

²²As shown in Figure A1 in the Appendix.

²³Source: British colonial Blue Books, multiple years. There are no disaggregated crime data by the categories listed in the colonial records between 1940 and 1960.

²⁴Source: “Policing in Lagos and Provinces, 1899-1929”. Reference: 73242C-01; “Judicial and Police, 1899-1960”, British Foreign and Commonwealth Office.

tant lever for colonial governments seeking to increase the prison labor base was to increase prosecutions of the aforementioned minor offenses, and switch punishments from fines to imprisonment (Hynd, 2015; Ojomo and Alemika, 1993). In contrast, in the postcolonial period, when prison labor was no longer used intensively by governments, a major share of crimes (46%, on average, between 1977 and 1993) prosecuted for incarceration were for property theft (Figure 5).

2.5 Policing and Enforcement

The judicial system in colonial Nigeria was highly centralized, with the colonial courts working in concert with prison officials and police to “maintain law and order”, protect European property, and meet the revenue imperative objectives of the colonial government²⁵ (Rotimi, 1993; Onoge, 1993). The colonial police force was headed by colonial officials, with rank and file constables, constituting the majority of the base, recruited from local populations across the country.²⁶ The police were often the first point of contact with the judicial system for local populations and were especially involved in enforcing tax collection and frequently involved in tax raids and arrests associated with violations of colonial crimes (Rotimi, 1993; Onoge, 1993). The police were notoriously feared for their frequent use of violence against local populations.²⁷ The 1930s witnessed multiple public protests against police brutality. One infamous protest against the use of police in tax collection, included reports from observers like a local reverend commenting on being horrified by the sight of women “hunted down and dragged about on public streets” by police for defaulting on tax payment (Rotimi, 1993). Much of the administrative structure of the police force remained in place through the postcolonial period. The police in Nigeria, and across much of colonial Africa, where similar systems were implemented, remain a national body, and there have been multiple critiques from scholars highlighting “tremendous continuity in the country’s policing traditions and goals in spite of a series of organizational reforms” (Ojomo and Alemika, 1993; Sanny and

²⁵The colonial police was administered under 2 separate, but jointly legislated forces in northern and southern Nigeria and amalgamated into a national police force in 1930.

²⁶A popular strategy of colonial officials was to divide police from local populations by hiring rank and file officers from separate ethnic regions of the country. The strategy was elaborated by colonial official Freeman in a letter to the Duke of Newcastle in December 1863, wherein he argued that raising a police force for Lagos (which had a majority Yoruba ethnic population) from mainly Hausas would make it difficult for a rapport to develop between the police and the people of Lagos against whom they were to enforce repressive laws (Ojomo and Alemika, 1993).

²⁷Colonial police fear as a feature of local memory is reflected in local songs like the ones from the Urhobo ethnic group recalling the humiliation of men who fell victim to police ambush during tax raids and were subsequently locked up in police cells. The songs crystallized colonial policemen as ‘terroristic bogeys’ in local communities (Onoge, 1993).

Logan, 2020). These critiques have also linked continuity in coercive policing practices to relatively high levels of mistrust in police in these regions today (Sanny and Logan, 2020).

3 Estimating the Value of Prison Labor

The qualitative accounts from colonial records, described in Section 2, highlight the value of prison labor in Nigeria. To understand why prison labor was so valuable to the colonial regime, we quantitatively estimate the value of unpaid prison labor. In essence, we ask, “how much would the colonial state have had to pay if they had to hire non-remunerated prison workers for a market rate wage?” To assess this value of unpaid prison labor, we digitized archival records on prison populations, wages, public works expenditure, and revenue from the British colonial Blue Books and Annual Report on the Administration of the Prisons Department²⁸ between 1920 and 1959. The Blue Books present statistical returns that governors of British dependencies were required to submit on an annual basis and report a complete record of prisons and colonial public finance in Nigeria between 1920 and 1959.²⁹ The Blue Books and the Annual Report also include qualitative descriptions of the activities undertaken by prison departments, as reported by the Director of Prisons³⁰. These data sources and the variables we use in our analysis are described in detail in Appendix A.1. As noted in Section 2.2, the colonial prisons data represent only a fraction of the overall prison population in Nigeria.³¹ The results from this analysis provide us with an estimate of the size of the prison labor system in colonial Nigeria.

3.1 Empirical Strategy

We measure the value of prison labor to the colonial regime, referencing van Waijenburg (2018), to estimate the value of unpaid wages to prisoners, and its relative share in expenditure on new construction of colonial public works.³²

²⁸Subsequently referred to as the Annual Report .

²⁹Nigeria was amalgamated from separate regions into a single country in 1914 and although the Blue Books data extend back to 1914, some information is missing between 1914 and 1920; thus, we start our analysis in 1920 for completeness. The Blue Books data on prisons and public finance ends in 1938. For prison data after 1938, we use records from the Annual Report on the Administration of the Prisons Department.

³⁰An example of the archival data is presented in Figure A3 in the Appendix.

³¹No detailed data on the Native prisons administered by local chiefs was introduced in the colonial archives prior to 1940. Available data on Native prisons in the annual reports from 1940 show that the addition of Native prison estimates to the colonial estimates presented in this paper would almost double the incarceration rate in 1940, from around 224 per 100,000 population to 399 per 100,000 population. This suggests that the data we present here from 1920 to 1959 is likely an underestimation of the total level of incarceration, and the total value of prison labor, during this period. We provide further discussion on this in Appendix A.2.1.

³²We use expenditure on new public works construction only here as a comparison as it reflects value-adding investment in productive public works rather than just upkeep or maintenance. New expenditure

We calculate the overall value of unpaid wages of prison laborers in each year t as follows:

$$\text{Value of prison labor}_t = \text{Annual wages}_t \times \frac{1}{N} \sum_{n=1}^N \text{Prisoners}_{nt} \quad (1)$$

This elicits an overall, gross value of benefits accruing to government consumers of prison labor. As a measure of wages, we use the average annual market wages paid to unskilled laborers. The wage measure comes from the colonial Blue Books which reports annual wages paid to people classified as “Labourers and Carriers” and other “Unskilled Labour”. This captures the wages for some of the types of work that prisoners were required to perform, including felling trees and breaking rocks to clear areas for road and railroad construction, as discussed in Section 2. Prisoners_{nt} is the daily average number of people in prisons over n days in the year from the archival records.³³ This measure captures the amount of convict labor that was available on any given day. As discussed in Section 2, prison officials measured the value of prison labor based on the funds generated from hiring out prisoners to other government departments for a small per diem fee.³⁴ We compare our estimated total value of prison labor to the colonial reported value of prison labor in the results in Section 3.2.

The specification in Equation 1 does not factor in the costs of prisoner maintenance, including food, clothing, housing, and prison staff salaries. The archival data report two sets of costs for prisoner maintenance, including (i) food, which was reported as the main

represents about 40% of total, new and maintenance, public works expenditure between 1920 and 1959. In Appendix A.3.3, we compare the value of prison labor figures to total public works spending, including recurrent expenditure on regular maintenance of public works reported in the archives.

³³ N is the total amount of prison days in the year recorded in the prison data. While the exact value of N is not explicitly listed in the archival data, we use the explicitly recorded ‘daily average number of prisoners’ category in the colonial archives. A snapshot of the description of this category from the 1925 Annual Report on the Prisons Department, Southern Provinces, is shown in Figure A9 in the Appendix.

³⁴For example, the Directors of Prisons, W.H. Beverly, E. Jackson, or W. Reeder in the southern provinces from 1915 to 1921, recorded per diem estimates of the value of labor between 1916 and 1921 in the Lagos colony and southern provinces for Nigeria. Using the classification of labor into skilled hard labor, unskilled hard labor and light labor, described in Section 2, hard labor, both unskilled and skilled, was given a value of five pence per day, with light labor given a value of three pence per day in 1916. Starting in 1917, skilled hard labor was given a value of one shilling and six pence or 18 pence, unskilled hard labor was assigned a value of five pence and light labor was assigned a value of three pence. The rates for unskilled hard labor stay the same from 1918 through 1921, with no reporting on the exact value assigned to skilled hard labor or light labor over this time. After 1921, the reports no longer included information on the per diem value assigned to the different classes of labor.

cost of prisoner upkeep, and (ii) total prisoner maintenance costs, a measure that includes all expenses involved in operating the prisons (i.e., everything from food costs, to staff salaries, costs of transporting prisoners, equipment purchases, uniforms for staff, and any other spending on prisons).³⁵ Food cost represents an average of 35% of the total prisoner cost for 1920 to 1959, ranging from 27% to 51% of the total prisoner costs over the study period. Food cost and staff salaries accounted for over 50% of the total prisoner costs from 1920 to 1959. The total prisoner maintenance cost is the most expansive measure of the prison upkeep cost. The net value of prison labor is the difference between the total value of prison labor in Equation 1 and total prisoner maintenance costs. To estimate the relative value of prison labor, we divide the results from Equation 1 by public works expenditures, prison expenditures and overall expenditure figures from the Blue Books. We present the results on the net and relative values of prison labor in Section 3.3.

Figure 3a shows the trends in the reported average annual wage and prisoner food and overall maintenance costs. The total reported prisoner upkeep cost closely tracks the wage, reflecting increases in staff salaries over time, with a steep increase after 1940. Prisoner food cost follows a similar pattern, although the post-1940 increase in cost is less steep than the wage and total prisoner cost. Figure 3b shows the daily average number of prisoners over the study period. Wages remained above prisoner food costs in all years, and above total prisoner costs in over 51% of the years between 1920 and 1959. The daily average number in prison fluctuated between 1920 and 1940, increasing through 1930, then decreasing between 1930 and 1940, before sharply increasing after 1943. Interestingly, the daily average number of prisoners also appears to track the average annual wage in Figure 3a. There is a positive correlation ($0.87, p < .001$) between the daily average numbers in prison and the average annual wage to unskilled laborers.

We estimate various versions of Equation 1 in alternate specifications, including estimates using alternate wage measures, adjusting for inflation, and addressing any potential bias in prisoner estimates by computing a weighted average measure of people committed to prison for penal imprisonment in each year. The trends in the results remain unchanged and are detailed in Appendix A.3.

³⁵An example of one breakdown of these costs over 1919 to 1921 from the colonial archives for prisons in the southern provinces is shown in Figure A11 in Appendix A.3.

3.2 Value of Prison Labor Results

Figure 6 presents our estimates of the total gross value of prison labor based on Equation 1, along with a comparison to the colonial prison officials' own reports of the value of prison labor based on fees remitted to the Prison department for prisoners' labor.³⁶ While our estimates of the value of prison labor are consistently higher than the colonial governments' own reports, both measures follow similar trends, and the values are close to each other prior to 1945. There is a positive correlation (0.7, $p < 0.001$) between our estimates and the colonial reported values of prison labor. The estimated total gross value of prison labor starts out around 178,498 pounds in 1920 and fluctuates- first decreasing, and then increasing through 1927, before mostly declining through 1943, then increasing sharply afterward, peaking at 1,532,634 pounds in 1959.³⁷ The average estimated gross value of prison labor is 313,742 pounds over the colonial period. Although prisoners were not paid, the exact amount of the payment remitted to the Prisons department from other government agencies for their labor was recorded for the southern provinces in a few years between 1919 and 1925. These payments were the per diem prices set by the Prisons department for a prisoner's labor based on the level of skilled labor required, as discussed in Section 2.3. We compile these estimates, and compare these prisoner prices with the daily market wage rate for similarly skilled workers in the southern provinces.³⁸ Prisoners performing unskilled hard labor, who made up the majority of the prison population, as discussed in Section 2, were assigned a value between 60%-80% below the market wage rate. Colonial prison officials were consistently undervaluing prisoners' labor to keep administration costs for peer government departments low, while attempting to balance budgets.³⁹

3.3 Prisoner Costs and Relative Value of Prison Labor

We calculate the difference between the total value of prison labor and the total prisoner maintenance costs, or the net value of prison labor, and compare these estimates to the colonial government's spending on public works, prisons and overall colonial expenditure.⁴⁰

³⁶We provide more detail and numbers in Table A2 of Appendix A.3.

³⁷Given the debates around the choice of the price index for colonial Africa, we present the figures in nominal terms here (Frankema and Van Waijenburg, 2012). We present the real estimates in Appendix A.3, and the trends remain unchanged.

³⁸The estimates are shown in Figure A10 of Appendix A.3.

³⁹This is confirmed in the report written by Prison Inspector Beverley in the 1915 Annual Report on Prisons, in which he states that values assigned to prisoners' labor are below "wages demanded by workmen in civil life". He recommends a doubling of values to balance prison expenditure amounts, illustrating the balance sheet calculus that appeared to drive the setting of prison labor values.

⁴⁰There is still a positive correlation (0.5, $p < 0.01$) between our net value estimates and the colonial reported value of prison labor described in Section 3.2 as shown in Figure A12 in the Appendix.

Table 1 reports the estimates as decadal averages from 1920 to 1959.⁴¹ Even after subtracting out the extensive measures of prisoner maintenance costs described in Section 3.1, the net value of prison labor is nonnegative and strictly positive in 60% and 57% of years, respectively, in colonial Nigeria.

Over the four decades of colonial data available, the net value of prison labor, less prisoner food costs, remains strictly positive, with an average of 195,260 pounds. When we estimate the net value of prison labor using all prisoner maintenance costs reported, the mean falls to 31,674 pounds. The only decade in which the net value of prison labor, less total prison costs, becomes negative (at -16,891 pounds) is during the World War II period between 1941 and 1950, when, as discussed in Section 2.2, there was a relative increase in the use of military conscript labor. The net value figure increases notably (to 160,805 pounds) in the post-war period from 1951 to 1959, following a flurry of public works construction activity right before Nigeria's independence in 1960. On average, the gross value of prison labor or unpaid wages to prison laborers was more than double the amount spent by the colonial government on public works between 1920 and 1959. After adjusting for extensive measures of prisoner maintenance costs, the share of the net value of prison labor in colonial public works expenditure remains economically significant, with a mean of 5% and a maximum of up to 42% during this period.

We show similar trends for the share of prison labor in total prison expenditures and overall colonial expenditures over this period in Table 1. Given the relatively small share of new public works expenditure in overall colonial spending,⁴² the prison labor share in the overall colonial expenditure was low, constituting an average of 2% and 0.1% of total expenditure, using the gross and net values of prison labor (including total prisoner maintenance costs), respectively. The quantitative results support the qualitative accounts from the historical records that prison labor, measured as the value of unpaid wages to prison laborers, was economically valuable to the colonial regime.⁴³

⁴¹We provide more detail and numbers in Table A2 of Appendix A.3.

⁴²An average of 2.2% between 1920 and 1959.

⁴³Furthermore, these estimates of the value of prison labor may be further underestimated if there are potential spillovers to private sector wages, and market wages are depressed by the supply of unpaid prison laborers.

4 The Effects of Economic Shocks on Incarceration Rates and the Use of Prison Labor

4.1 Conceptual Framework

The historical accounts and quantitative results in Section 3 show that prison labor was an important resource used by colonial governments to address labor shortages in the public works sector. Prisoners' labor was valued for work on infrastructure projects like roads and the railroad, which were needed to extract agricultural commodities from the interior of the colony to the coast for export. The next step in our analysis is to estimate the effects of labor demand shocks on the use of prison labor. To fix ideas regarding the links between labor shortages and the use of prison labor, we adapt insights from a recent theoretical literature on the effects of economic shocks on labor demand and coercion under forced labor institutions (Acemoglu and Wolitzky, 2011; Naidu and Yuchtman, 2013), and outline a simple conceptual framework as follows.

We highlight two main predictions on the effects of economic shocks on incarceration rates under forced labor institutions during the colonial period versus non-forced labor institutions over the postcolonial period. The economic setting in both periods is primarily agricultural, with the majority of the local population employed in the agricultural sector.⁴⁴ In this setting, there are two types of shocks that directly affect agricultural revenue or surplus, including shocks to quantity and shocks to price. Positive (negative) shocks that directly increase (decrease) the quantity of agricultural output or crops, increase (decrease) the demand for labor in the agricultural sector, and can lead to an increase (decrease) in wages in this sector. Similarly, exogenous shocks that raise the prices of agricultural output can also increase wages in the agricultural sector by creating demand for the output and hence associated labor demand. These labor demand shocks can increase or decrease wages in the agricultural sector.

A simple principal-agent framework (with the African worker as the agent and the colonial government as the principal), wherein the assumption that the principal must pay higher wages to induce more effort on the part of the agent does not hold when the principal can coerce the agent to work. We assume there is excess demand in the labor market and the principal is a cost minimizer with a preference for lower wages, following the historical

⁴⁴This is the case in Nigeria, where a major share of workers is employed in agriculture. Estimates range between 37% and 70% as of 2016 by World Bank and Food and Agriculture Organization (FAO) statistics, respectively.

account in Section 2. We also assume that the colonial government, P , can coerce the African worker, A . A chooses whether or not to work for P relative to the reservation wage in the agricultural sector, \bar{w} . The wage contract offered by P , w^* , must be greater than \bar{w} to attract A 's labor. If $w^* < \bar{w}$, the agent chooses not to work for the principal. In this scenario, P can choose to coerce A to work by, for example, increasing the incarceration rate and the use of prison labor. Following the historical account in Section 2, the ways the colonial government could and did this were manifold and included increased prosecution and arrests for so-called "crimes against the social economy of the colony" or minor, misdemeanor crimes like vagrancy, labor ordinance and breach of peace violations and switching punishments for these minor crimes from fines to incarceration. P chooses coercion if the benefits of coercion (in the form of increasing output revenue and closing the excess demand gap) outweigh the costs of coercion (e.g., enforcement, risk of riots, and conflict with local populations) or the net benefits are positive. A key insight here is that the colonial government was able to reduce the costs of coercion through the use of incarceration and prison labor with an expansive definition of what constituted a criminal act, and a centralized system of enforcement and punishment for these crimes as discussed in Section 2.

The first prediction from this framework is that positive economic or labor demand shocks, in the form of rising agricultural commodity export prices, or higher rainfall that increases agricultural output and associated wages of agricultural workers, will increase incarceration rates and the use of prison labor under forced labor regimes such as that of the colonial period. Symmetrically, negative shocks, will, all else being equal, have the opposite effect and reduce the demand for prison labor under these regimes.

Under non-forced labor institutions, positive economic shocks that increase agricultural wages or workers' reservation wage, also increase the opportunity cost of participating in economic crimes, like property theft or related assault following previous models from the economics of crime literature (Freeman, 1999; Becker, 1968). Conversely, negative economic shocks that reduce wages, increase the likelihood of participating in economic crimes. This results in the second prediction, that negative shocks will increase incarceration rates under non-forced/non prison labor regimes, as in the postcolonial period in Nigeria. We test the predictions of this framework using the data on incarceration rates and economic shocks outlined in Section 4.2.

4.2 Description of Data

4.2.1 Incarceration Rates

To assess the effects of economic shocks on incarceration and the use of prison labor, we digitized 65 years of archival data on prisons from 1920 to 1995. Available disaggregated data on incarceration rates at the subnational level spans the colonial period (1920-1938) and the postcolonial period (1971-1995). The Blue Books report incarceration data at the prison level, and we aggregate up to the district level, where the district is the colonial province between 1920 and 1938. We calculate the incarceration rate as the number of newly admitted prisoners per 100,000 population for each province in each year.⁴⁵ The incarceration data are broken down by length of prison sentence, which is classified as prisoners with short-term (less than six months), medium-term (between six months and two years) and long-term (greater than two years) sentences. We also assemble available data on postcolonial incarceration rates at the current administrative state level between 1971 and 1995 from Nigeria's Annual Abstract of Statistics.⁴⁶

Table 2 presents the summary statistics. The average incarceration rate falls by almost a third between the colonial and postcolonial periods, from around 241 prisoners per 100,000 people to 92, as shown in Figure 4. The spatial distribution of incarceration between the colonial and postcolonial period also significantly changed, with prisoners being clustered in the southern provinces over the colonial period, and considerably more spatial dispersion in the postcolonial period, as shown in Figure 7. Short-term prisoners made up the majority of the colonial prison population, at 53% of all newly committed prisoners and 76% of penal imprisonment, on average, between 1920 and 1938, as shown in Table 2⁴⁷. The share of long-term prisoners in penal imprisonment was comparatively smaller, at 11% over the same period. The share of prisoners with previous convictions was similarly low, with 11% of prisoners having one previous conviction and only 2% of prisoners with two or three previous convictions.

⁴⁵The population data also comes from the Blue Books, and we use population of provinces in 1939 to calculate incarceration rates from 1920 to 1938. We discuss the population estimates in further detail in Appendix A.5.3.

⁴⁶The postcolonial data do not include a similar breakdown by sentence.

⁴⁷The incarceration rates by sentence in colonial Nigeria are shown in Figure A5 in the Appendix.

4.2.2 Economic Shocks

Cash Crop Export Prices

We use two different measures of economic shock; agricultural commodity export prices and rainfall to capture economic shocks in a primarily agricultural setting.⁴⁸ The first measure of productivity shocks we use is agricultural commodity export prices. The measure uses data on the major cash crop exports in colonial Nigeria, which include cocoa, palm oil and groundnuts; the data are global export prices from the Wageningen University African Commodity Trade Database (Frankema, Williamson, and Woltjer, 2018). Altogether, exports of palm products, cocoa and groundnuts accounted for 93% of the volume of agricultural commodity exports and 78% of total exports in Nigeria over the colonial period. We combine the price data with land suitability and crop production data from the Global Agro-Ecological Zones and Blue Books databases, respectively, to identify which prices would have theoretically affected which districts. Figure 7 presents the spatial distribution of cash crop production, along with a time series of export prices over the colonial study period. Palm oil and cocoa are produced in the southern provinces, while groundnuts are the major cash crop export produced in the northern provinces. Prices for cash crops in the southern provinces, namely cocoa and palm oil, were two times and one-and-a-half times higher, respectively, than prices for groundnuts produced in the northern provinces from 1920 to 1938. The most productive cash crops over the colonial period, by price, were palm oil and cocoa. Palm oil was particularly valuable, given the relatively high share of provinces (29%) involved in its production (Table 2). It also had the highest volume of trade of the three cash crops over the colonial period.⁴⁹

Rainfall

The second measure of productivity shocks we use is rainfall. A major share of workers in Nigeria are employed in agriculture, which has remained the case for the past few decades.⁵⁰ Agriculture in Nigeria is primarily rain-fed, with irrigated agriculture accounting for only 1% of cultivated area in the country, and government investment in agriculture has remained relatively stagnant, at 1% of total government expenditure since 1920 (Xie, You,

⁴⁸The share of agriculture in Nigeria's GDP has ranged between 40% and 60% between 1960 and 2012 by some estimates (Ahungwa, Haruna, and Abdusalam, 2014).

⁴⁹Between 1863 and 1947, 25% of the value of agricultural commodity exports came from palm oil, and the figure rises to 61% when palm kernels, a byproduct of palm oil production, are included (Frankema, Williamson, and Woltjer, 2018).

⁵⁰Estimates range between 37% and 70% as of 2016 by World Bank and Food and Agriculture Organization (FAO) statistics respectively.

and Takeshima, 2017).⁵¹ This combination of facts suggests that the economic conditions of domestic populations are sensitive to sudden, unexpected changes or deviations in rainfall that may reduce crop yields and respective agricultural incomes (e.g., through droughts or floods). For the colonial period, we use rainfall data from 69 weather stations recorded in the Blue Books to construct measures of rainfall deviations, or z-scores, as deviations from the district or colonial province long-term mean.⁵² For the postcolonial period, we use precipitation data from the NASA MERRA-2 database, and calculate rainfall deviations as deviations from the district or postcolonial administrative state long-term mean.⁵³

4.3 Empirical Strategy and Results

To test the predictions of the conceptual framework in Section 4.1, we use three main estimating equations: (1) a specification that identifies the effects of productivity shocks with an interaction term for agricultural export commodity prices; (2a) a nonlinear, quadratic specification that allows the effect of rainfall shocks on incarceration to vary more flexibly with the level of district-level rainfall deviation, and estimates the effects of positive economic shocks on incarceration rates; and (2b) a specification that identifies the effects of moderate positive, productivity enhancing, rainfall shocks, on incarceration. We include district (province or current state for colonial or postcolonial data respectively) and year fixed effects in all specifications, along with clustered standard errors at the district level. Following Cameron, Gelbach, and Miller (2008), we apply wild bootstrap-based tests to our estimates to account for potentially low numbers of clusters in estimating our standard errors, and include wild cluster bootstrap p-values in our results. The rationale behind each empirical strategy is discussed in further detail in Section 4.3.1 and Section 4.3.2. Our main specification will be model (1) that estimates the effects of directly, easily observable (to colonial officials) agricultural export prices on colonial incarceration rates, although we interpret the results from all three models here. The rainfall specification allows us to: (a) test the effects of positive versus negative economic shocks on incarceration rates; and (b) test the effects of rainfall shocks on incarceration in the postcolonial period as well.

⁵¹As shown in Figure A16 in Appendix A.4.

⁵²In alternate specifications, we test results with interpolated data from the University of Delaware database, and confirm that while there is a significant positive correlation between the rainfall values, the correlation is low and does not translate to the z-scores which are the main explanatory variable used here. Given that the Delaware values from 1920 offer fewer fine interpolations than the weather station data, we use the weather station data here for our main results.

⁵³The NASA MERRA-2 data is not available prior to 1980. The dataset is viewed as the gold standard for climate/weather analysis among climate researchers (Gelaro et al., 2017).

4.3.1 Cash Crop Export Prices and Incarceration Rates

Do higher agricultural commodity export prices that increase agricultural output and associated agricultural wages of workers, also increase incarceration rates and the use of prison labor under the colonial, prison labor regime? To answer this question, following previous specifications in the literature (Dube and Vargas, 2013; Naidu and Yuchtman, 2013), we estimate equations of the following form:

$$\text{Prisoners}_{it} = \sum_{c=1}^3 \gamma_c \text{Cash Crop}_{ci} \times \text{Cash Crop Price}_{ct} + \mu_i + \delta_t + \epsilon_{it} \quad (2)$$

where Prisoners_{it} is the incarceration rate or number of newly committed prisoners per 100,000 population⁵⁴ in the colonial district or province i at year t ; Cash Crop_{ci} is an indicator that equals 1 if province i produces one of the three major export cash crops $c \in (\text{palmoil}, \text{cocoa}, \text{groundnut})$ over the colonial period, and $\text{Cash Crop Price}_{ct}$ is the natural log of the export price of c in year t ; and μ_i and δ_t are district and year fixed effects respectively. Errors are clustered at the district level to allow for arbitrary correlations.⁵⁵ The coefficient of interest is the interaction term γ_c which measures the effect of increases in cash crop prices in producing provinces on the incarceration rate.

Cash Crop Export Prices and Incarceration Rates Results

Figure 8 shows the coefficients from individual regressions of short-term incarceration on colonial province and year fixed effects and the interaction between an agricultural commodity presence variable and year fixed effects. The figure shows the positive relationship between the prices of the most productive colonial cash crops, palm oil and cocoa, and short-term colonial incarceration; the positive correlation is particularly visible for palm oil, which had the highest volume of trade of the three cash crops over the colonial period. Table 3 presents the results from Equation 2 on the effects of cash crop export prices on colonial incarceration rates. The results show that the effect of plausibly exogenous positive agricultural export price shocks signaling increases in agricultural productivity on colonial incarceration rates and the use of prison labor is concentrated in relatively higher value cash crops, like palm oil as discussed in Section 4.2.2.⁵⁶

⁵⁴The results remain unchanged if we standardize by the adult population only.

⁵⁵We estimate all models with standard errors clustered at the district level and Conley standard errors with a cut-off window of 100 km to account for spatial auto-correlation (Conley, 1999). The results are robust to both specifications, and we present the district level clustering results here.

⁵⁶There is no correlation between domestic rainfall shocks and agricultural export prices, as discussed in Appendix A.4.

We interpret the coefficients from the full, robust specification of the model in column (1) of Table 3, with short-term incarceration rates as the outcome of interest. A 10% increase in palm oil prices is associated with an increase in the short-term incarceration rate by around 7 per 100,000 people, or a 5% increase in short-term incarceration relative to the sample mean in palm oil producing regions. Short-term colonial incarceration rates increased in response to higher palm oil prices that signaled increases in agricultural productivity. There is no effect of palm oil prices on long-term incarceration rates in palm oil producing areas in column (5). The results for short-term incarceration are similar for cocoa, another high value crop, in column (1), although the effects are larger and more robust for palm oil, the most valuable colonial cash crop over this period.

4.3.2 Rainfall Shocks and Incarceration Rates

Nonlinear Effects of Economic Shocks on Incarceration Rates

Following the historical accounts in Section 2, the conceptual framework in Section 4.1, predicts that positive economic or labor demand shocks, in the form of rising agricultural commodity export prices, or higher rainfall that increased agricultural output and associated wages of agricultural workers, will increase incarceration rates and the use of prison labor under forced labor regimes, as in the colonial period. Conversely, negative shocks will increase incarceration rates under non-forced/non prison labor regimes, as in the postcolonial period in Nigeria. Following the framework, one hypothesis is that the main functional form of the relationship between rainfall deviation and incarceration rates in the colonial period is an inverted-U. The demand for prison labor peaks during periods of moderate positive rainfall shocks which increase agricultural productivity. In contrast, extremes in rainfall deviations, like droughts and floods that lower agricultural productivity, lower the demand for prison labor. As a falsification test, these effects should only hold for short-term incarceration, which was more elastic and should be more responsive to short-term economic shocks than long-term imprisonment.

A further, testable implication of the framework is that, as a falsification test, the effect of rainfall shocks on incarceration rates should be U-shaped if a major motive for state incarceration is not prison labor. Under a non-convict labor motivated prison system, such as postcolonial Nigeria, droughts and floods that lower agricultural productivity should increase incarceration rates through a rise in economic crimes, like theft, as outlined in Section 4.1.

We can then estimate the causal effect of rainfall shocks on incarceration rates by assessing panel regressions of the following nonlinear, quadratic form:

$$\text{Prisoners}_{it} = \beta_1 \text{RainfallDev}_{it} + \beta_2 \text{RainfallDev}_{it}^2 + \mu_i + \delta_t + \epsilon_{it} \quad (3)$$

where RainfallDev_{it} is the rainfall deviation or z-score for each district in each year relative to the district’s long-term expectation⁵⁷. Our key parameter of interest is β_2 which should be significantly negative if the inverted-U hypothesis holds and positive if the U-shaped hypothesis holds.

Identifying the Effects of Positive Productivity Shocks on Incarceration Rates

While Equation 3 allows us to identify the effects of rainfall shocks on incarceration rates and the use of colonial prison labor more flexibly, it does not allow us to distinguish between positive and negative productivity shocks. Specifically, Equation 3 does not allow us to distinguish between moderate positive rainfall shocks that signal increases in agricultural productivity, and extreme positive and negative shocks that respectively signal floods and droughts that can reduce productivity.

Since data on agricultural output from the colonial period are not available, we adapt definitions of rainfall shocks in Africa from the literature (Dillon, McGee, and Oseni, 2015; Amare et al., 2018; Jensen, 2000) and estimate transition points in Equation 3 from non-parametric loess models linking rainfall deviations to colonial incarceration rates. From the transition points, we distinguish between moderate positive shocks, extreme positive shocks, and extreme negative shocks as follows: (a) Positive shock (M), where “M” is moderate, is an indicator equal to 1 if $0 < \text{RainfallDev}_{it} < 0.75$ and a proxy for increases in agricultural productivity; (b) Positive shock (E), where ‘E’ is extreme, is an indicator equal to 1 if $\text{RainfallDev}_{it} > 0.75$, and signifies floods that reduce agricultural productivity and (c) Negative shock (E), is an indicator equal to 1 if $\text{RainfallDev}_{it} < -0.5$, and signifies droughts that also reduce agricultural productivity.

We can then directly estimate the causal effect of moderate positive rainfall shocks on incarceration rates by estimating the following specification:

$$\text{Prisoners}_{it} = \alpha \text{Positive shock (M)}_{it} + \mathbf{E}'_{it} \gamma + \mu_i + \delta_t + \epsilon_{it} \quad (4)$$

where $\text{Positive shock (M)}_{it}$ is the moderate positive rainfall shock. The main parameter of interest in Equation 4 is α , defined as the effect of moderate positive shocks that in-

⁵⁷We find no effects when we test the specification using lagged rainfall deviations instead following results in previous literature (Amare et al., 2018). The results are discussed in Appendix A8.

crease agricultural productivity on the incarceration rate. We include vectors of the extreme positive and negative rainfall shock variables, \mathbf{E}'_{it} , to check the robustness of our results.

A Note on Rainfall and Crop Yields

A key assumption motivating the empirical strategy in Equations 3 and 4 is that rainfall deviations have a causal effect on crop yields, and that this effect is nonlinear with extremes in rainfall, like droughts or floods, resulting in a decrease in crop yields or agricultural output. The change in crop yield changes the demand for labor and corresponding agricultural wages as outlined in the conceptual framework. This labor demand shock is what affects incarceration rates and the demand for prison labor over the colonial period. There is a robust literature on the nonlinear relationship between rainfall and agricultural output (Dell, Jones, and Olken, 2014; Lesk, Rowhani, and Ramankutty, 2016; Sarsons, 2015; Kaur, 2019; Jayachandran, 2006; Fishman, 2016; Lesk, Coffel, and Horton, 2020). Most models linking weather and crop yields, particularly in hotter climates, generally find inverted-U trends between rainfall and crop yields, where more rain increases yields up to a certain optimal point, but extremes in rainfall, either too much or too little, relative to some setting-dependent threshold, reduce yields (Fishman, 2016; Lesk, Coffel, and Horton, 2020). In colonial Nigeria, while detailed data on crop yields are unavailable, numerous reports from the Agricultural Department from 1921 to 1952 highlight the sensitivity of crop yields to extremes in rainfall.⁵⁸ One example is from a 1923 report on cotton yields, stating:

*“The annual reports of the Southern Agricultural Department record remarkable variations in the crops grown from year to year. . . The bad crops were from time to time ascribed to one or other the following causes: (a) To the direct effect of climatic conditions on the crop- **too much rain in November or too sudden drought in December...**”*

The climate in Nigeria has remained largely stable between the colonial and postcolonial period (Xie, You, and Takeshima, 2017). Additionally, the practice of, and investment in, agriculture has also remained largely stable in Nigeria since 1920; hence, we can use data on crop yields from the postcolonial period to infer the relationship between rainfall shocks and crop yields in the colonial period as well. In the postcolonial period, although there is relatively little disaggregated data on crop yields, we digitized four years of available data from 1992 to 1995 from the Annual Abstract of Statistics, with details provided in Appendix A.4. The data include seven major crops representing almost one-fifth of domestic

⁵⁸We highlight more evidence from the Agricultural Department reports in Appendix A.4.

production by FAO estimates.⁵⁹ Crop yield is calculated as the average of volume of crop produced/area cropped, following previous literature (Jayachandran, 2006). We estimate Equations 3 and 4 using crop yields as the outcome. The results in Table A4 in Appendix A.4 confirm the inverted-U relationship between rainfall deviations and crop yields (column (1) of Table A4). Extreme negative rainfall shocks, like droughts, and extreme positive rainfall shocks, like floods, decrease crop yields (column (2) of Table A4). We discuss the crop yield data and results further in Appendix A.4.

Rainfall Shocks and Incarceration Rates Results

Table 4 presents the results from Equation 3 on the effects of rainfall shocks on incarceration rates following the quadratic specification. While the quadratic term is negative but not significant when we examine all penal imprisonment over the colonial period in column (1), the effect is significant and negative for short-term incarceration rates. The negative quadratic coefficient for short-term incarceration is consistent with an inverted-U relationship between rainfall deviation and short-term imprisonment or the use of prison labor. β_2 , the squared rainfall deviation term is not significant for medium or long-term incarceration rates, congruent with the predictions in Section 4.3.2.

The results of the falsification test for postcolonial imprisonment are shown in column (5) of Table 4. β_2 from Equation 3 is positive and significant for postcolonial incarceration rates. The positive significant estimate for postcolonial incarceration is consistent with the hypothesis that the effects of rainfall shocks on incarceration rates should be U-shaped under non-prison labor regimes; instead, imprisonment primarily increased as a response to increases in economic crimes, like theft, in the aftermath of negative productivity shocks (e.g., drought or floods).

Table 5 reports the results from the specification in Equation 4, which identifies the effects of moderate positive rainfall shocks that raise agricultural productivity, versus extreme positive or negative rainfall shocks (respectively signifying floods or droughts that reduce productivity) on incarceration rates. The results from our main specification in column (1) show that moderate positive rainfall shocks had a significant positive effect on short-term imprisonment over the colonial period. A moderate positive rainfall shock increased the short-term incarceration rate by 16.7 per 100,000 population, or around 12%, relative to the sample mean of 135 per 100,000 people. The effect remains significant, increasing the short-term incarceration rate by about 9% when we add controls for extreme negative and

⁵⁹The crops include cowpeas, mangoes, palm oil, pepper, soybeans, tomatoes, and leafy vegetables.

positive rainfall shocks in column (3) of Table 5.

In line with the inverted U-shape prediction, columns (2) and (3) of Table 5 show the opposite result for extreme negative rainfall shocks, which reduced short-term colonial imprisonment. Extreme negative rainfall shocks, like droughts, signal a decrease in agricultural productivity and lowered demand for unpaid prison labor under the colonial prison labor system; this is reflected in the lowered incarceration rates, with extreme negative rainfall shocks associated with a 13%-15% decline in short-term incarceration relative to the sample mean. There are no effects of rainfall shocks on long-term incarceration, as shown in columns (4)-(6) of Table 5.

In contrast, the postcolonial results show that, while moderate positive rainfall shocks had no significant effect on postcolonial incarceration rates (column (7) and column (9)), extreme negative (column (8)) and extreme positive (column (9)) rainfall shocks increased the postcolonial imprisonment rate. From column (9), the magnitude of the increase in postcolonial imprisonment from droughts/extreme negative rainfall shocks and floods/extreme positive rainfall shocks is a 21% and 19% increase, respectively, in incarceration rates relative to a sample mean of 105 per 100,000 people. The results from Equation 4 are consistent with the results from the quadratic specification in Equation 3, showing an inverted U-shape relationship between rainfall deviation and incarceration rates in the colonial era, with an opposite/U-shaped relationship in the postcolonial period.

4.3.3 Robustness

We conduct numerous robustness checks on our results, with a subset of checks presented in Appendix A.5. We show that our cash crop export price results are robust to the inclusion of rainfall controls (Table A5) and using raw prices instead of logs (Table A6); and that contemporaneous, not lagged, rainfall shocks affect incarceration rates in Table A8 and Table A9. The results are also robust to trimming provinces to account for potential concerns around district population estimates (Table A11).

4.4 Further Evidence on Mechanisms

Thus far, our analysis confirms that positive productivity shocks increased incarceration rates and the use of prison labor during the colonial period. The historical account in Section 2 suggests that colonial governments used multiple methods to intensify the use of prison labor during periods of labor shortages to work on key public works like the railroad needed to transport agricultural commodity exports for revenue. Among these methods were: (1)

increasing short-term incarceration around prisons close to public works like the railroad, (2) increasing prosecutions of minor, misdemeanor crimes and sentence-switching, or changing the punishment for these crimes from fines to imprisonment, and (3) potentially increasing prison sentences as punishment for already incarcerated populations. We evaluate each of these three hypotheses around colonial government methods below.

4.4.1 Wages and the Railroad

As previously established, a major use of prison labor was for public works and construction and maintenance of the railroad, which was essential for the transport of cash crops for export. Railroad construction began in 1898, and had expanded to its full extent across the country by the 1950s (Figure 2b). One test of the labor market tightness hypothesis described in this historical account and the conceptual framework is that when market wages are higher, demand for coerced prison labor should also increase. Although there is no available disaggregated data, by district, on wages, one way to test this hypothesis, is to examine the correlation between wages and incarceration rates at prisons near the railroad, given the intensive use of prison labor for railroad work.⁶⁰ Table 6 reports the estimates for the reduced-form relationship between wages and distance from prisons to the railroad and colonial incarceration rates. The regressions are at the prison level and show that while prisons closer to the railroad generally had higher short-term incarceration rates (column (1)), during periods of higher wages, short-term incarceration rates also increased in prisons farther away from the railroad but within the same colonial province (column (2)).

The interpretation of this result is intuitive. While short-term sentenced prisoners near the railroad were generally used as a reserve of unpaid labor for railroad construction and maintenance, increasing wages intensified the demand for unpaid prison labor and worsened labor shortages and labor market tightness. To increase the share of prison labor, colonial officials would need to increase the share of prisoners in prisons farther away from the railroad as well. Prisoners, by law, could not be transferred across provinces, as discussed in Section 2. Colonial officials could then transport prisoners within the province to conduct work on the railroad and associated public works as needed (Foreign and Office, 1960). The effects are specific to short-term sentenced prisoners, with no effects for long-term sentenced prisoners (columns (3) and (4) of Table 6).

⁶⁰Market wages are endogenous in this context, and we interpret the results as suggestive correlations only.

4.4.2 Increasing Prosecutions of Minor Offenses and Sentence-Switching

The qualitative accounts of officials in the colonial archives provide suggestive evidence of the ‘increasing prosecutions of minor offenses/sentence-switching’ channel.⁶¹ For example, in 1926, C.W. Duncan, the Inspector-General of Police of the southern provinces, noted the uptick in cases and convictions in that year in his report. He then highlighted that while ‘“offences against property show a decrease of 198 cases compared with those of the previous year”, and there has been a decrease in “offences against persons”, prosecutions of minor offenses have increased that year, accounting for the increase in cases and convictions’.⁶²

Although there is no available disaggregated colonial data, by district, on crime and punishment, to test the “sentence-switching” hypothesis, we estimate Equation 2 using the difference between custody/awaiting trial and short-term incarceration figures as an outcome. The rationale here is that, as only sentenced prisoners could legally be used for prison labor, if there was more sentence switching from “awaiting trial” to short-term imprisonment in response to positive economic shocks, then positive shocks will decrease the difference between the custody/awaiting trial and short-term incarceration rates. Table A14 in Appendix A.5.5 provides suggestive evidence of ‘sentence-switching’ as a strategy to increase the share of short-term prisoners for prison labor in response to positive productivity shocks. Column (3) of Table A14 shows that increases in the prices of the most productive cash crops, like palm oil, are associated with decreases in the difference between the custody/awaiting trial and short-term incarceration rates. Table A15, estimating the effects using Equation 4, shows similar results between moderate positive rainfall shocks and the difference outcome. Given that the coefficients on both custody and short term incarceration rates are positive, the only way for their difference to be negative is if short-term incarceration is rising faster than the custody category in response to positive productivity shocks. One interpretation is that prisoners may have been transferred at a faster rate from custody/awaiting trial to short-term sentences so that the state could take advantage of unpaid prison labor when positive economic shocks increased labor demand and worsened labor shortages. The results are not robust and should be interpreted with caution, but provide suggestive evidence of

⁶¹Accounts from the “Policing in Lagos and Provinces, 1899-1929”. Reference: 73242C-01 document from the British Foreign and Commonwealth Office.”

⁶²Duncan highlights one notable case of tax default in the southern provinces where “The inhabitants of these villages had fallen into arrears in the payment of their taxes and the Assistant District officers, having failed to collect these arrears in March, warned the people that their property would be seized if they persisted in their obstinate attitude”. Source: “Policing in Lagos and Provinces, 1899-1929”. Reference: 73242C-01.

the sentence-switching hypothesis.

4.4.3 Punishment

The previous two methods focused on the ways colonial governments increased incarceration rates in response to labor demand shocks. To test the hypothesis that increasing the prison sentences of prisoners that were already incarcerated may be one, albeit more minor, way that colonial officials intensified the use of prison labor during these shocks, we digitized data from the colonial Annual Report on Prisons on the punishments assigned by colonial officials to prisoners for infractions while in prison. In line with the cost-cutting objectives of colonial officials, the most popular punishment was reduced diet, accounting for 53% of punishment to prisoners between 1920 and 1938, on average.⁶³ After reduced diet, the top categories for prisoners' punishment were flogging (21%), solitary confinement (8%), forfeiture of "marks" or credits for good behavior which could be used to reduce a prison sentence (6%), and extra prison time (4%). To examine the effects of directly observable, to colonial officials, cash crop price shocks on punishment of prisoners, we estimate Equation 2 with shares of each punishment in total punishment assigned to prisoners as the outcome. The results in Table 7 provide suggestive evidence that prison officials may have also employed a "carrot and stick" approach to motivate prisoners to work (carrot) and punish detractors with more prison time (stick) during periods of increased prices or labor shortages. Increases in palm oil prices in palm oil producing areas were associated with more prison time assigned as punishment to prisoners (column (1), "stick"), but less forfeiture of marks assigned as punishment (column (5), "carrot").

5 Colonial Imprisonment and Contemporary Trust in Legal Institutions

In the historical account in Section 2.5, we discussed the role of, often violent, policing in enforcing the colonial prison labor system, and its reported long-term effects on contemporary mistrust in police. To explore the implications of the colonial prison labor system for present-day views of police and contemporary trust in legal institutions more broadly, we present a brief discussion and suggestive evidence of the long-term effects of colonial imprisonment. Given that the origins of the modern prison and accompanying legal system in Nigeria and other former British colonies are rooted in the use of state policy around labor coercion, what are the long-term effects, if any, of exposure to these systems on populations' trust in

⁶³The distribution of punishment over time is shown in Figure A21 in the Appendix. Food costs were often the major cost of maintaining a prisoner as discussed in Section 3.

these institutions today? We use Afrobarometer data from Nigeria from surveys over 2003 to 2014 recording respondents' stated trust in historical legal institutions (e.g., police, courts, and tax administration) to test whether past exposure to coercive, ostensibly economically influenced, colonial prison systems affects trust in legal institutions today. To assess if these effects, if any, are about legal institutions and not broader interpersonal trust, we also assess trust in individuals (e.g., neighbors, relatives, and elected local governing council members) as an outcome. Previous research has shown that interpersonal trust is linked to longer term historical events like the slave trade (Nunn and Wantchekon, 2011).

To test these hypotheses, we estimate equations of the following form:

$$\text{Trust}_{aigt} = \beta \text{Colonial Imprisonment}_i + \mathbf{X}'_{aigt} \theta + \mathbf{X}'_{gs} \phi + \mu_s + \delta_t + \epsilon_{aigt} \quad (5)$$

where Trust_{aigt} is the contemporary trust outcome of interest for individual a residing in historical colonial province i , in current sub-district or local government area (LGA) g , in one of Nigeria's six geopolitical zone regions s for the Afrobarometer survey administered in year t . Nigeria's ethnic distribution is proxied by six geopolitical zones delineating ethnic homelands of populations⁶⁴, and the region fixed effects are included to capture culturally specific factors, like values around social status or age-based hierarchy, that may affect trust (Archibong, 2018; Nunn and Wantchekon, 2011; Lowes et al., 2017).

Following the historical account in Section 2 and the analysis in Section 4 linking primarily short-term sentenced prisoners to the use of prison labor for public works in response to labor demand shocks, we measure colonial imprisonment, Prisoners_i , as the long-run average share of short-term sentenced prisoners in overall penal imprisonment from 1920 to 1938 in each colonial province i . The value captures the intensity of the use of prisoners as convict labor to satisfy economic incentives over the colonial period, with higher values indicating that more incarcerated people were being used for prison labor on public works in a province. The share of short-term sentenced prisoners may more strongly reflect the level of coercive policing and legal practices in colonial provinces over time, as this category of prisoners was most intensely exploited for prison labor. Using available data on the

⁶⁴Broadly, three ethnic groups- the Hausa, Yoruba and Igbo dominate three zones- the Northwest, Southwest and Southeast respectively. The Kanuri are the majority group in the Northeast, the Ijaw/Edo/Bini/Ibibio weakly dominate the Southsouth zone, and the Northcentral is home to the Tiv, Nupe and other smaller ethnic populations (Archibong, 2018).

distribution of rank and file police across colonial provinces from 1920 to 1938, we show a strong, positive correlation between the share of rank and file, “boots on the ground” police in the total police force and the share of short-term colonial imprisonment (Table A18). There is no correlation between the share of rank and file police and the share of long-term colonial imprisonment (column (2)), and the correlation is weaker with overall year to year short-term incarceration rates (column (3)). As a falsification test, we estimate Equation 5 using the share of long-term sentenced prisoners as well.

To check that the associations in Equation 5 are not being driven by differences in crime between high and low colonial imprisonment areas, we also test the following “crime propensity” outcomes from the Afrobarometer: whether the respondent has feared being the victim of a crime in their home, and how often the respondent had to bribe a government official to obtain a document or permit in the past year. We include vectors of individual level covariates, \mathbf{X}'_{aigt} , including a respondent’s age, age squared, a gender indicator variable, an indicator that equals one if the respondent lives in an urban location, and educational attainment fixed effects. The sub-district level covariates, \mathbf{X}'_{gs} , include controls for geography, disease suitability and precolonial and colonial institutional features.⁶⁵ Geography controls include land suitability for agriculture, ruggedness, elevation, and indicators for the presence of petroleum and access to a seacoast. Controls for disease suitability include the mean malaria ecology index and tsetse fly suitability. Precolonial and colonial institutional controls include the level of precolonial centralization and the total number of slaves exported from each ethnic region during the Atlantic slave trade. All regressions include region and survey-year fixed effects, μ_s and δ_t , respectively. Standard errors are clustered at the district (colonial province) level and wild cluster bootstrap p-values are included to account for potentially low numbers of clusters as before.

Figure 9 shows the visual relationship between colonial imprisonment and trust in legal institutions. The simple binscatter in the top panel, using the share of short-term sentenced prisoners colonial imprisonment measure suggests a strong negative relationship between short-term colonial imprisonment and trust in legal institutions. The picture is largely flipped using the share of long-term sentenced imprisonment measure in the bottom panel. We present OLS estimates for the effects of colonial imprisonment, using our main short-term sentenced measure, on trust outcomes in Panel A of Table 8. Columns (1)-(3) of Panel A show a negative association between colonial imprisonment and contemporary

⁶⁵Data is described in detail in Appendix A.6.

trust in legal institutions, with effects particularly robust for trust in police (column (1)). Increasing the share of short-term sentenced colonial imprisonment in a province from none to all decreases the reported trust in police by present-day residents of the region by 0.4 points, or a 57% reduction in reported trust in police relative to the sample mean. There is no significant association between colonial imprisonment and contemporary interpersonal trust (columns (4)-(6) of Panel A). Panel B shows no significant association between the long-term colonial imprisonment measure and contemporary trust outcomes.

To check that the result on the negative association between colonial imprisonment and trust in legal institutions is not being driven by underlying differences in crime rates between regions of high versus low levels of colonial imprisonment, we present the results on crime in Table 9. There is no significant association between colonial imprisonment and propensity for reported criminal/bribery behavior (columns (1) and (2)). If anything, residents from areas with high levels of (short-term) colonial imprisonment are less likely to report fear of being victims of a crime in their homes (column (3)). There is no association between long-term colonial imprisonment and reported crime (columns (4) to (6)).

The results presented in Table 8 suggest that there is a negative correlation between colonial imprisonment and contemporary trust in legal institutions, but do not identify the causal effect of colonial imprisonment on trust. The results provide an initial exploration of the potentially detrimental long-term effects of coercive colonial prison labor systems on present-day trust in legal institutions, such as police. The qualitative history in Section 2.5, and the historically high share of rank and file colonial police in these areas suggest that persistence in coercive policing may be one channel through which these effects persist.⁶⁶

6 Conclusion

What are the effects on incarceration when prisoners are viewed and used primarily as a source of labor to serve economic interests? And what are the potential implications for citizens' views of state legitimacy, when an institution of state justice, like prison, is used to serve economic interests? To answer these questions, we digitized annual data from archival sources for British colonial Nigeria, and show that prisons were economically valuable to the colonial regime. We present the first quantitative estimates on the value of prison labor in British colonial Africa, and find that the value of prison labor was strictly positive over the colonial period. Even after accounting for an extensive set of prisoner maintenance costs, the net value of prison labor was strictly positive in the majority of years in colonial Nigeria.

⁶⁶We discuss other possible channels and avenues for estimating more causal effects in Appendix A.6.

Prison labor constituted a significant share of public works expenditures, up to 249% and 42%, using our gross and net values of prison labor respectively.

We examine the effects of shocks to economic productivity on incarceration and the use of prison labor. We find that incarceration rates during the colonial period are procyclical. Moderate positive rainfall shocks and positive export price shocks that proxy increased agricultural productivity increased incarceration rates and the use of prison labor in the colonial period. We provide quantitative and qualitative evidence demonstrating that a primary reason for the procyclical behavior of incarceration rates during the colonial period was increased labor demand for construction and maintenance of public works, like the roads and railroad, that were needed to intensify exports of agricultural commodities during periods of positive productivity shocks. Labor shortages and tight labor markets increased the demand for unpaid prison labor, which was reflected in the rise in incarceration rates. The effect is reversed in the postcolonial period, when prison labor is not a major feature of state policy and public finance, and thus negative shocks increased incarceration rates.

We explore the implications of exposure to prison labor systems for present-day views of state judicial legitimacy and provide suggestive evidence of the negative long-term effects of colonial incarceration on contemporary trust in legal institutions. We document a significant reduction in contemporary trust in legal institutions like police in areas with high historical levels of colonial imprisonment. The reduction in contemporary trust is specific to legal institutions, with no effect on interpersonal trust. The results regarding trust open up avenues for future work to explore channels through which these effects on reduced trust may persist over time. Given the renewed global debates on the use of prison labor and the judicial system globally, our paper provides new quantitative evidence on the effects on incarceration when prisoners are primarily used as a store of labor, and its potentially detrimental effects on citizens' trust in legal institutions.

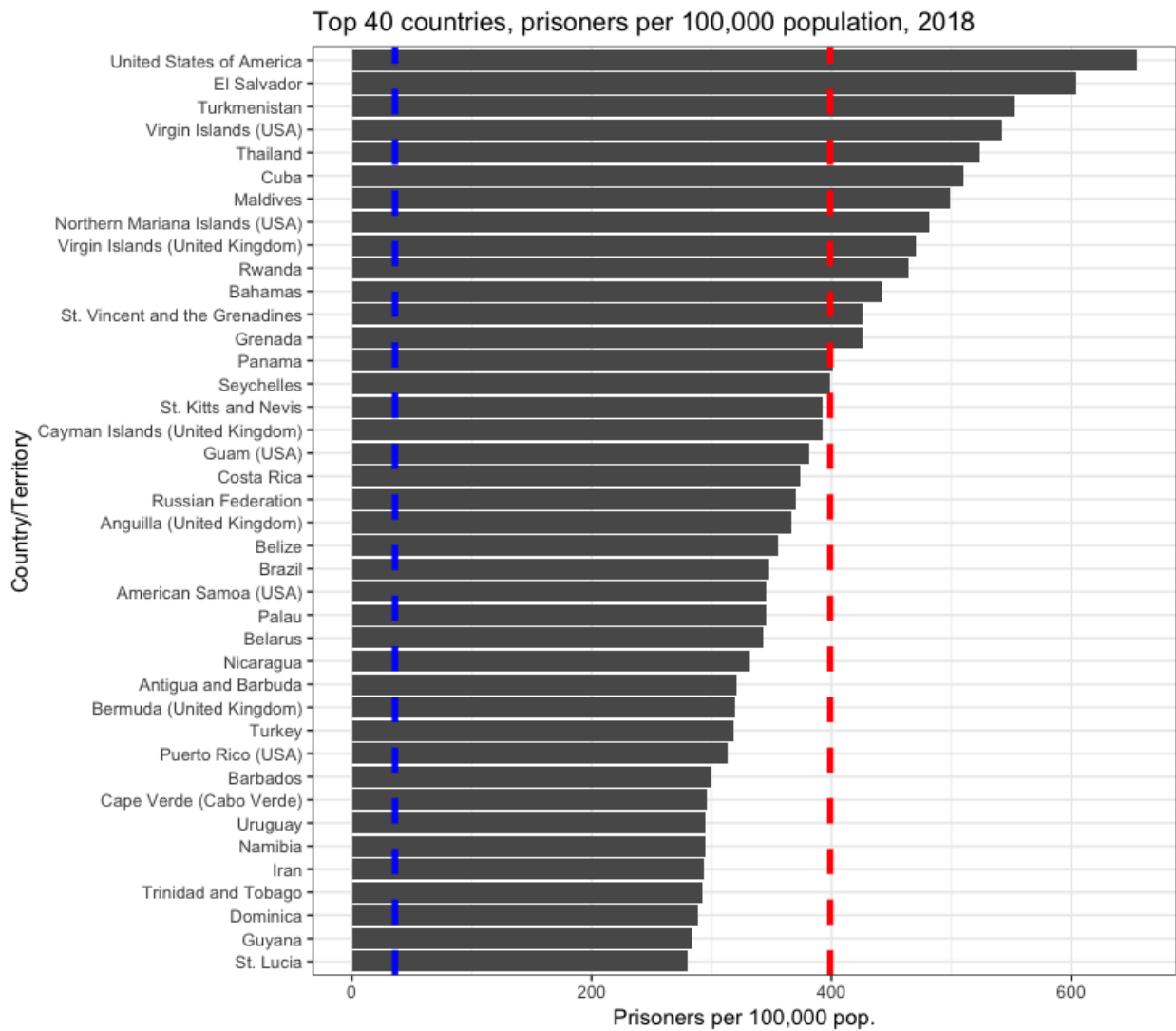


Figure 1: Top 40 countries/territories for incarceration rates, 2018 with Nigeria incarceration rates in red (year 1940) and blue (year 2018). Source: World Prison Brief

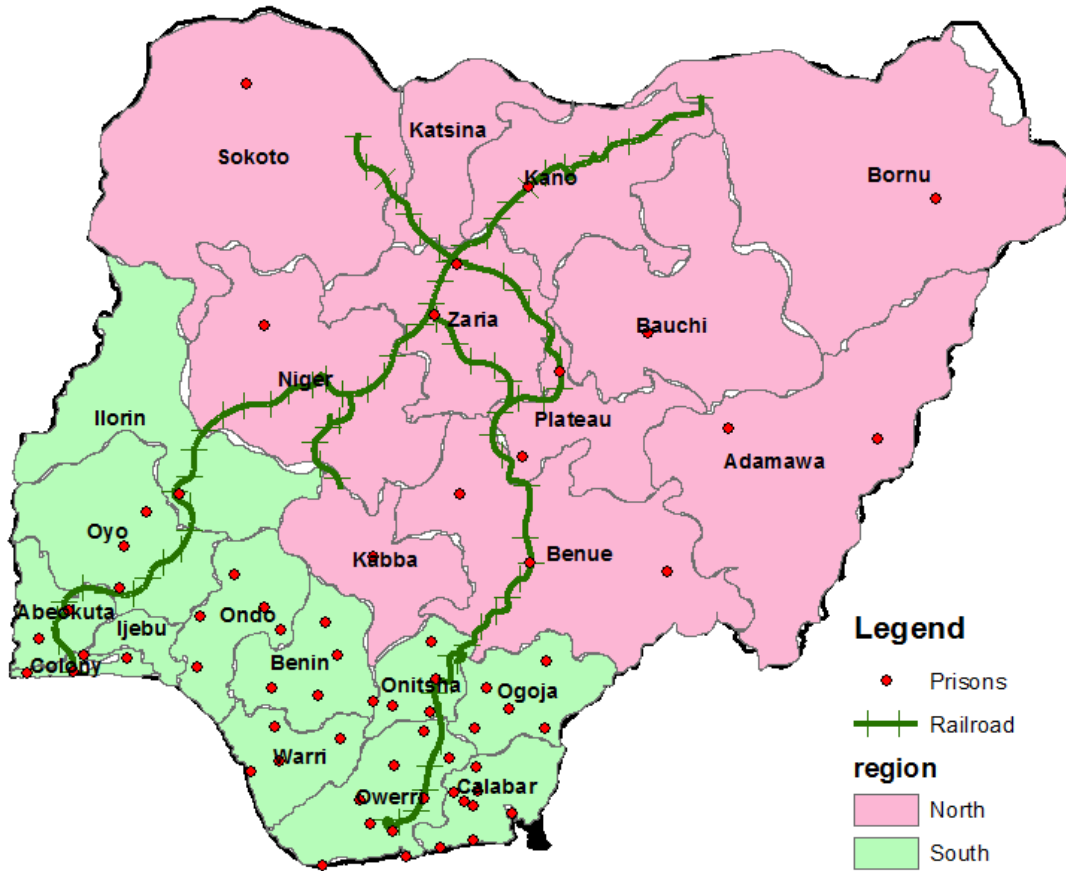


Figure 2: Colonial Nigeria with provinces outlined in 1937, prison locations, regions and railroad network shown

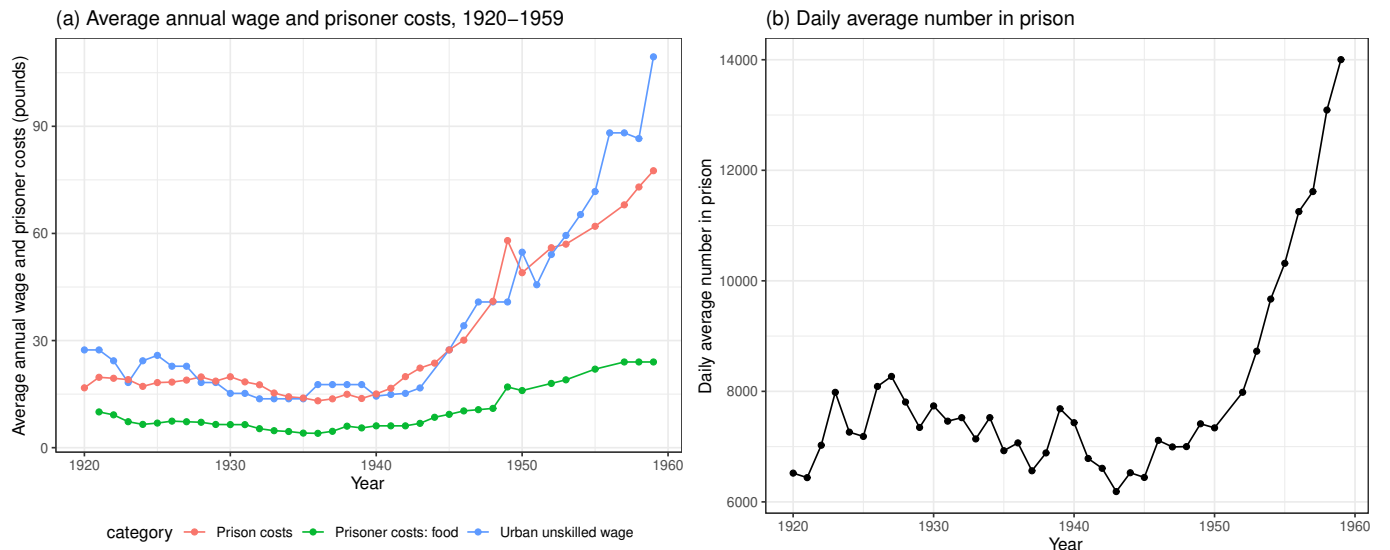


Figure 3: Wages, prisoner costs (a) and daily average number in prisons (b) in colonial Nigeria, 1920-1959

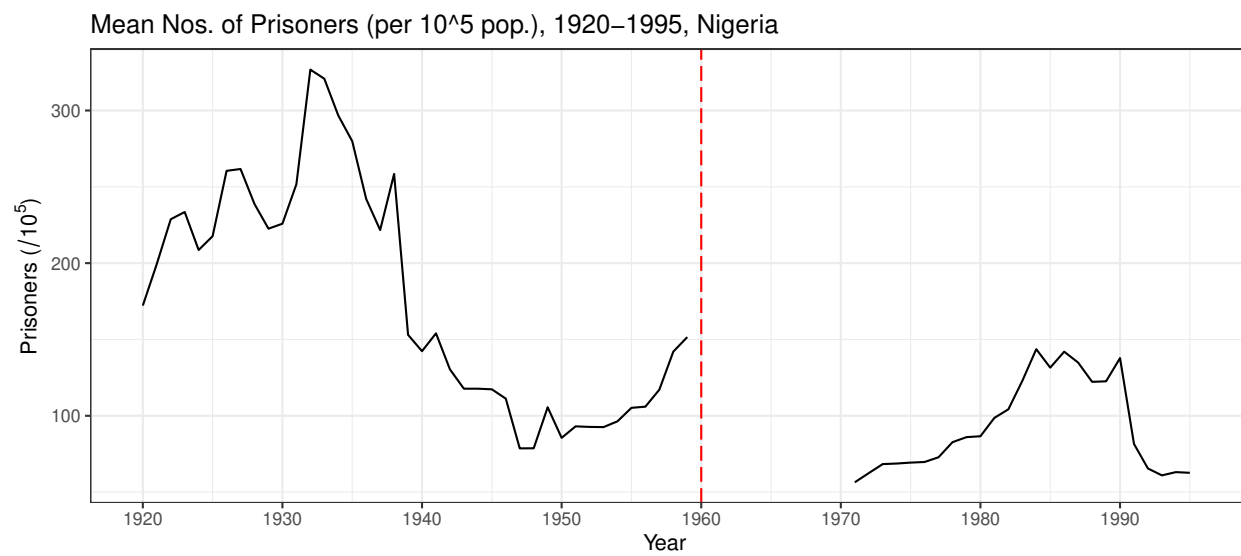


Figure 4: Mean number of prisoners per 100,000 population in colonial and postcolonial Nigeria with independence year highlighted, 1920-1995

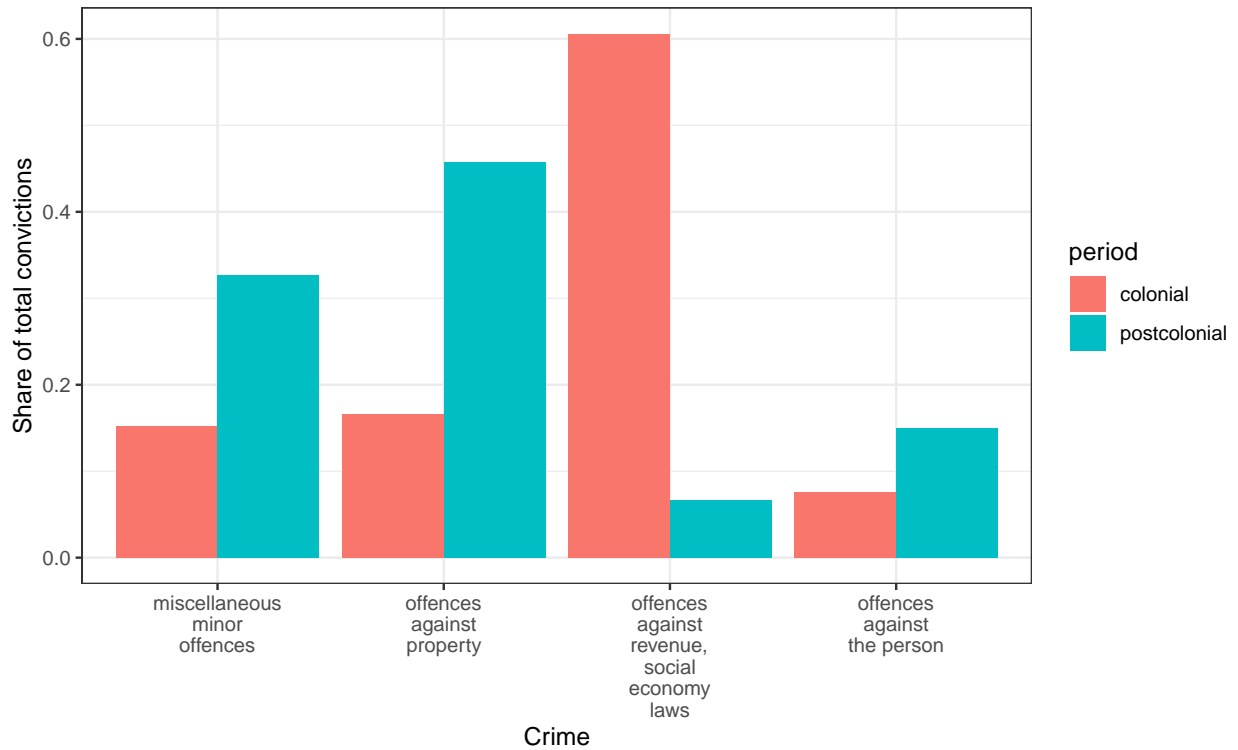


Figure 5: Share of total convictions by crime over the colonial (1920-1939) and postcolonial (1977-1993) periods in Nigeria

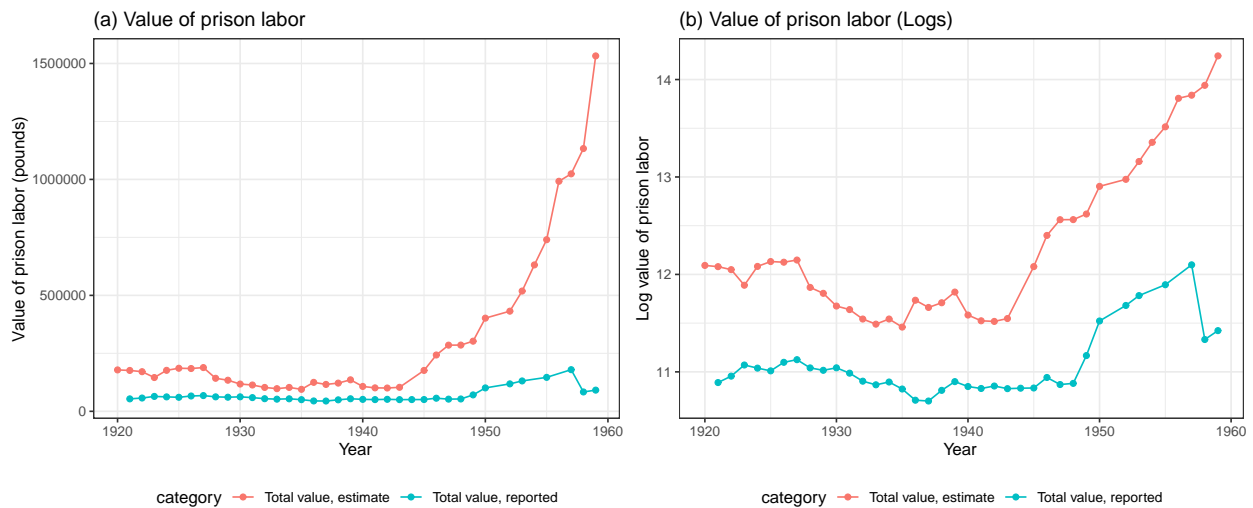


Figure 6: Total value of prison labor estimates versus value of prison labor reported by colonial government in pounds (a) and in log values (b), 1920-1959. Figure shows values in pounds (a) and log values (b)

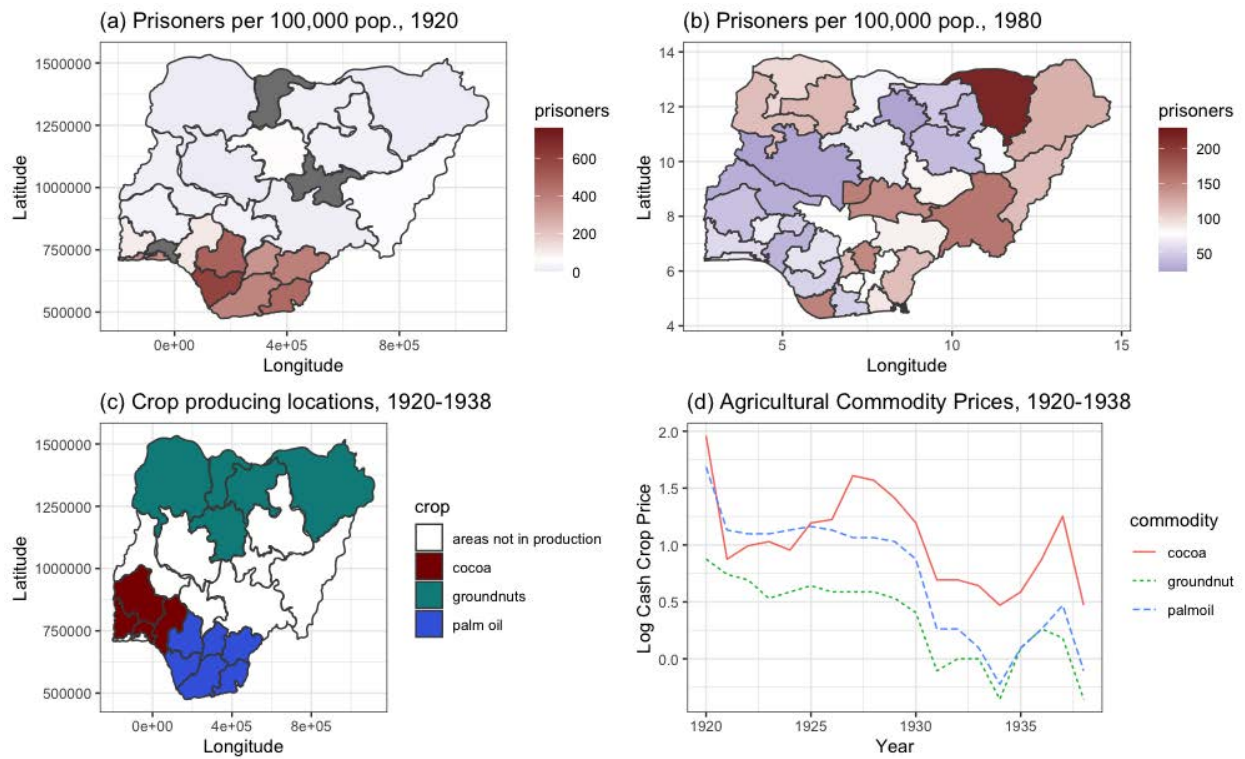


Figure 7: Prison populations in colonial (1920) (a) and postcolonial (1980) (b) Nigeria, and agricultural commodity production areas (c) and prices (d) for the three major cash crops (palm oil, cocoa, and groundnut) in colonial Nigeria

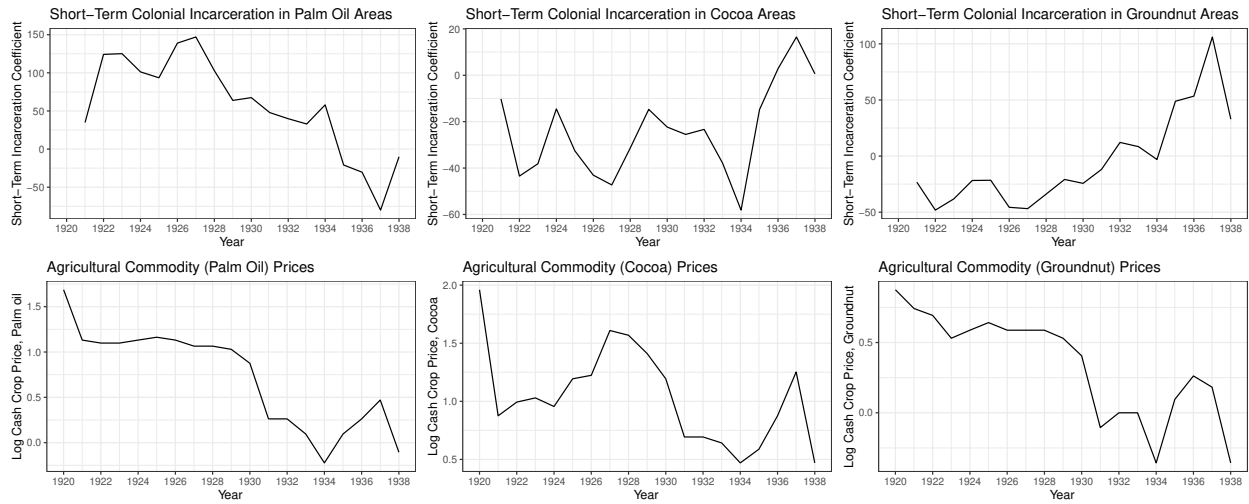


Figure 8: Agricultural commodity export prices and short-term incarceration rates over the colonial period (1920-1938). Coefficients are from individual regressions of short-term incarceration on colonial province and year fixed effects and the interaction between an agricultural commodity presence variable and year fixed effects; the interaction coefficients are plotted above.

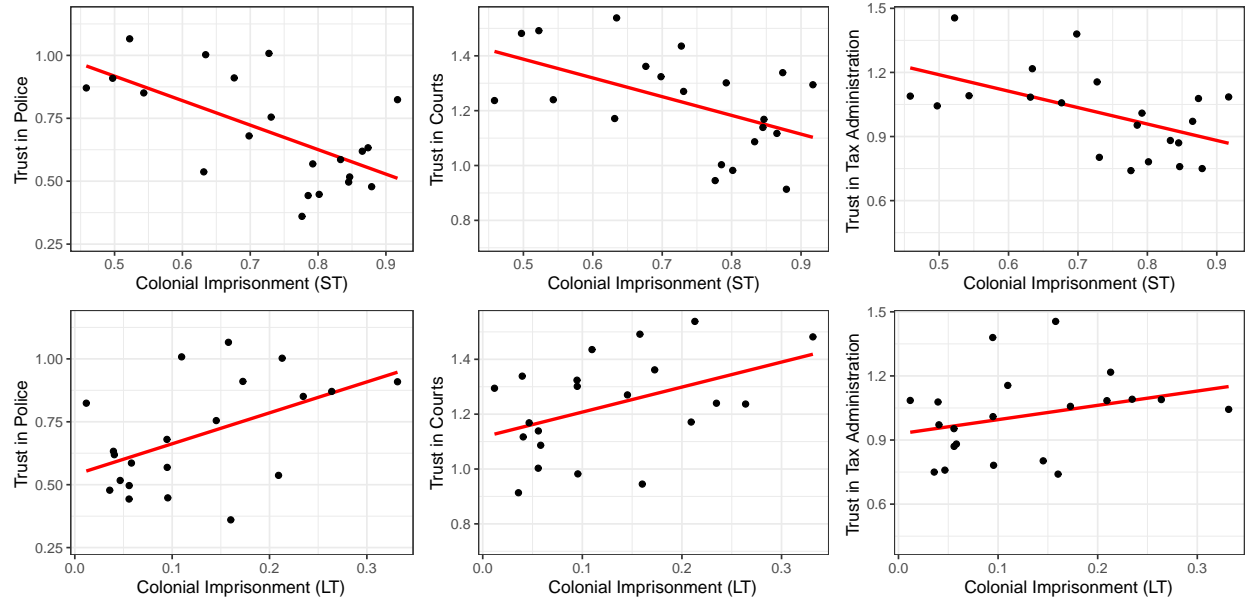


Figure 9: Colonial imprisonment and contemporary trust in legal institutions. Top panel uses the main measure of colonial imprisonment, the share of short-term prisoners in penal imprisonment. Bottom panel uses the share of long-term colonial imprisonment

Table 1: Decadal averages of relative values of prison labor in colonial Nigeria with value of prison labor, and value of prison labor as a share of public works expenditure (top panel), and value of prison labor as a share of expenditure on prisons and total colonial expenditure (bottom panel)

Period	Gross value of prison labor (PL), pounds	Net value of PL- less food costs	Net value of PL- less total prison costs	Share of gross PL value in public works exp.	Share of net PL value (food) in public works exp.	Share of net PL value (total) in public works exp.
1920 – 1930	163,748	87,858	19,776	0.96	0.51	0.13
1931 – 1940	111,760	69,327	6,135	0.66	0.42	0.05
1941 – 1950	222,183	149,702	-16,891	0.88	0.59	-0.08
1951 – 1959	875,463	652,486	160,805	1.77	1.24	0.14

Period	Share of gross PL value in prison exp.	Share of net value of PL (food) in prison exp.	Share of net value of PL (total) in prison exp.	Share of gross PL value in all colonial exp.	Share of net PL value (food) in all colonial exp.	Share of net PL value (total) in all colonial exp.
1920 – 1930	1.09	0.59	0.14	0.02	0.01	0.003
1931 – 1940	1.03	0.65	0.07	0.02	0.01	0.001
1941 – 1950	0.91	0.60	-0.08	0.01	0.01	-0.001
1951 – 1959	1.20	0.85	0.18	0.01	0.01	0.002

Table 2: Summary Statistics: Economic shocks and incarceration rates

Statistic	N	Mean	St. Dev.	Min	Max
Prisoners, 1920-1938					
All Prisoners Total	324	1,811.76	2,286.76	3.00	10,231.00
Penal Imprisonment Total	324	1,251.83	1,626.78	2.00	7,010.00
Custody Total	324	509.59	635.57	0.00	3,039.00
Short-Term (<= 6 Months) Total	324	1,051.05	1,409.20	2.00	6,377.00
Medium-Term (6Mo-2Y) Total	324	127.15	171.34	0.00	882.00
Long-Term (>=2yr) Total	324	68.93	84.10	0.00	417.00
All Prisoners /100,000	324	240.73	254.56	0.26	1,123.30
Penal Imprisonment /100,000	324	162.03	169.55	0.26	759.99
Custody /100,000	324	71.73	83.47	0.00	333.66
Short-Term /100,000	324	134.66	144.95	0.16	649.43
Medium-Term /100,000	324	16.56	18.26	0.00	80.45
Long-Term /100,000	324	10.18	12.88	0.00	83.45
Share w/ 1 Previous Conviction	324	0.11	0.15	0.00	0.90
Share w/ 2 Previous Convictions	324	0.02	0.03	0.00	0.32
Share w/ 3 Previous Convictions	324	0.02	0.03	0.00	0.18
Agricultural Commodities and Rainfall Deviation, 1920-1938					
Cocoa Producing	393	0.15	0.35	0.00	1.00
Groundnut Producing	393	0.18	0.39	0.00	1.00
Palm Oil Producing	393	0.29	0.45	0.00	1.00
Log Cocoa Price	393	1.04	0.40	0.47	1.96
Log Groundnut Price	393	0.35	0.36	-0.36	0.88
Log Palm Oil Price	393	0.72	0.53	-0.22	1.69
Rainfall Dev.	393	-0.00	0.97	-2.21	4.08
Rainfall Dev. Sq.	393	0.95	1.83	0.00	16.67
Positive Rainfall Shock (M)	393	0.17	0.38	0.00	1.00
Negative Rainfall Shock (E)	393	0.30	0.46	0.00	1.00
Positive Rainfall Shock (E)	393	0.21	0.41	0.00	1.00
Prisoners and Rainfall Deviation, 1971-1995					
All Prisoners Total	871	2,005.81	1,210.56	104.00	7,092.00
All Prisoners /100,000	871	92.48	60.43	9.91	361.99
Share w/ 1 Previous Conviction*	6	0.21	0.02	0.18	0.23
Share w/ 2 Previous Convictions*	6	0.12	0.02	0.10	0.16
Share w/ 3 Previous Convictions*	6	0.13	0.04	0.05	0.18
Rainfall Dev.	560	0.01	0.30	-0.62	1.06
Rainfall Dev. Sq.	560	0.09	0.12	0.00	1.11
Positive Rainfall Shock (M)	560	0.49	0.50	0.00	1.00
Negative Rainfall Shock (E)	560	0.04	0.19	0.00	1.00
Positive Rainfall Shock (E)	560	0.01	0.11	0.00	1.00

Notes: See text and online appendix for details. *denotes that data is based on available time series information from 1975-1980.

Table 3: Agricultural commodity export prices and colonial incarceration rates (prisoners per 100,000 pop.)

Outcome:	Short-Term				Long-Term			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Palm oil x Palm oil price	66.681** (27.920) [0.048]	56.546** (22.867) [0.045]			2.738 (5.448) [0.745]	5.481 (3.490) [0.166]		
Cocoa x Cocoa price	41.965* (23.638) [0.185]		4.146 (16.434) [0.830]		-6.000 (5.952) [0.521]		-6.535*** (2.491) [0.013]	
Groundnut x Groundnut price	2.809 (29.852) [0.956]			-49.111** (24.763) [0.092]	-8.532 (6.905) [0.416]			-9.130*** (3.208) [0.015]
Mean of outcome	134.659	134.659	134.659	134.659	10.175	10.175	10.175	10.175
<i>Observations</i>	324	324	324	324	324	324	324	324
<i>Clusters</i>	21	21	21	21	21	21	21	21
District FE	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by district, where district is colonial province for colonial data. Wild cluster bootstrap (by district) p-values are in brackets. Observations are provinces. Dependent variables are prisoners per 100,000 population (1939 pop.) by province in Nigeria broken down by short-term (less than 6 months) sentence in columns (1) to (4) and long-term (greater than 2 years) sentence in columns (5) to (8) over 1920-1938. Prices are in logs. District FE are colonial province fixed effects. ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level based on clustered standard errors in parentheses.

Table 4: Rainfall shocks and colonial (1920-1938) and postcolonial (1971-1995) incarceration rates (prisoners per 100,000 pop.), quadratic specification

Period: Outcome:	Colonial				Postcolonial
	All Penal	Short-Term	Medium-Term	Long-Term	All 1971-1995
	(1)	(2)	(3)	(4)	(5)
Rainfall Dev	14.147** (6.041) [0.038]	11.995* (6.433) [0.065]	1.796 (1.276) [0.212]	0.759 (1.227) [0.655]	-6.237 (8.570) [0.454]
Rainfall Dev Sq	-3.569 (2.479) [0.246]	-4.884* (2.816) [0.068]	0.205 (0.387) [0.629]	0.752 (0.739) [0.494]	34.275*** (9.692) [<.001]
Mean of outcome	162.032	134.659	16.556	10.175	104.802
<i>Observations</i>	324	324	324	324	556
<i>Clusters</i>	21	21	21	21	36
District FE	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by district, where district is colonial province for colonial data, and postcolonial state for postcolonial data. Wild cluster bootstrap (by district) p-values are in brackets. Observations are provinces. Dependent variables in column (1)-(4) are prisoners per 100,000 population (1939 pop.) by province in Nigeria broken down by all prisoners, penal imprisonment, custody/awaiting trial, short-term (less than 6 months) sentence and medium-term (between 6 months and 2 years) sentence and long-term (greater than 2 years) sentence over 1920-1938. Dependent variable in (5) is prisoners per 100,000 population (1990 pop.) by state in Nigeria over 1971-1995. Results remain unchanged when we replace the denominator for the incarceration rates with the adult population of the province only. Rainfall deviation, and rainfall deviation squared (Rainfall Dev and Rainfall Dev Sq) as defined in text. District FE are colonial province fixed effects in (1)-(4), and postcolonial state fixed effects in (5). ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level based on clustered standard errors in parentheses.

Table 5: Rainfall shocks and colonial (1920-1938) and postcolonial (1971-1995) incarceration rates (prisoners per 100,000 pop.)

Period: Outcome:	Colonial						Postcolonial		
	Short-Term		Long-Term				All 1971-1995		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Positive rainfall shock (M)	16.727*** (5.456) [0.016]		12.142* (6.964) [0.093]	-1.638 (1.319) [0.336]		-0.695 (1.437) [0.683]	-4.387 (4.132) [0.320]		-2.320 (4.564) [0.620]
Negative rainfall shock (E)		-20.290** (9.484) [0.057]	-17.225* (10.259) [0.139]		-1.060 (2.894) [0.762]	-0.429 (3.530) [0.886]		22.722*** (7.814) [0.016]	22.545*** (7.807) [0.012]
Positive rainfall shock (E)			-0.404 (13.973) [0.977]			3.358 (2.654) [0.293]			20.423** (8.268) [0.046]
Mean of outcome	134.659	134.659	134.659	10.175	10.175	10.175	104.802	104.802	104.802
Observations	324	324	324	324	324	324	556	556	556
Clusters	21	21	21	21	21	21	36	36	36
District FE	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by district, where district is colonial province for colonial data, and postcolonial state for postcolonial data. Wild cluster bootstrap (by district) p-values are in brackets. Observations are districts. Dependent variables in columns (1)-(6) are prisoners per 100,000 population (1939 pop.) by province in Nigeria broken down by short-term (less than 6 months) sentence ((1)-(3)) and long-term (greater than 2 years) sentence ((4)-(6)) over 1920-1938. Dependent variable in columns (7)-(9) is prisoners per 100,000 population (1990 pop.) by state in Nigeria over 1971-1995. Positive rainfall shock (M) where (M) is moderate, and (E) is extreme as defined in text. District FE are colonial province fixed effects in (1)-(6), and postcolonial state fixed effects in (7)-(9). ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level based on clustered standard errors in parentheses.

Table 6: Reduced-form estimates of the relationship between wages and distance to railroad and colonial incarceration rates (prisoners per 100,000 pop.)

Outcome:	Short-Term		Long-Term	
	(1)	(2)	(3)	(4)
Distance to railroad	-0.301*	-1.479**	-0.018	-0.029
	(0.157)	(0.681)	(0.023)	(0.099)
	[0.144]	[0.074]	[0.941]	[0.778]
Distance x Log wages		0.401**		0.004
		(0.191)		(0.033)
		[0.078]		[0.917]
Mean of outcome	46.198	46.198	3.990	3.990
<i>Observations</i>	938	938	822	822
<i>Clusters</i>	21	21	21	21
District FE	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by district, where district is colonial province for colonial data. Wild cluster bootstrap (by district) p-values are in brackets. Observations are individual prisons. Dependent variables in (1)-(4) are prisoners in each prison per 100,000 population of the province broken down by short-term (less than 6 months) sentence and long-term (greater than 2 years) sentence over 1920-1938. Covariates are distance to railroad in km and log urban unskilled wages. District FE are colonial province fixed effects. ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level based on clustered standard errors in parentheses.

Table 7: Agricultural commodity export prices and punishment of prisoners

Outcome:	Extra Imprisonment	Reduced Diet	Flogging	Solitary Confinement	Forfeit Marks
	(1)	(2)	(3)	(4)	(5)
Palm oil x Palm oil price	0.061** (0.031) [0.075]	0.040 (0.179) [0.846]	0.028 (0.055) [0.657]	-0.047 (0.038) [0.260]	-0.114** (0.049) [0.115]
Cocoa x Cocoa price	0.133 (0.100) [0.494]	0.542 (0.652) [0.580]	-0.036 (0.094) [0.738]	0.244 (0.160) [0.226]	-0.089* (0.048) [0.240]
Groundnut x Groundnut price	0.066 (0.040) [0.207]	0.135 (0.339) [0.742]	0.084 (0.142) [0.635]	-0.065 (0.049) [0.179]	-0.129 (0.168) [0.624]
Mean of outcome	0.050	0.556	0.166	0.087	0.071
<i>Observations</i>	228	228	228	228	228
<i>Clusters</i>	21	21	21	21	21
District FE	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by district, where district is colonial province for colonial data. Wild cluster bootstrap (by district) p-values are in brackets. Observations are provinces. Dependent variables are shares of total punishment assigned to prisoners from extra prison time (1), reduced diet (2), flogging (3), solitary confinement (4), and forfeiture of marks (5), as described in the text. Prices are in logs. District FE are colonial province fixed effects. ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level based on clustered standard errors in parentheses.

Table 8: OLS estimates of the relationship between colonial imprisonment and present-day trust in historical legal Institutions versus interpersonal trust

Outcome:	Panel A: Colonial Imprisonment (Short-Term) and Contemporary Trust Outcomes					
	Trust in Historical Legal Institutions			Interpersonal Trust		
	Police	Courts	Tax	Neighbors	Relatives	Local Gov
	(1)	(2)	(3)	(4)	(5)	(6)
Colonial imprisonment (ST)	-0.401*** (0.143) [0.002]	-0.541* (0.279) [0.187]	-0.750** (0.383) [0.136]	-0.382 (0.555) [0.544]	0.878 (0.675) [0.376]	-0.255 (0.220) [0.354]
Mean of outcome	0.709	1.274	0.976	1.334	1.913	0.948
Outcome:	Panel B: Colonial Imprisonment (Long-Term) and Contemporary Trust Outcomes					
	Trust in Historical Legal Institutions			Interpersonal Trust		
	Police	Courts	Tax	Neighbors	Relatives	Local Gov
	(1)	(2)	(3)	(4)	(5)	(6)
Colonial imprisonment (LT)	0.285 (0.291) [0.510]	0.401 (0.386) [0.527]	0.304 (0.523) [0.649]	0.635 (0.619) [0.423]	-0.563 (0.908) [0.658]	-0.061 (0.375) [0.887]
Mean of outcome	0.709	1.274	0.976	1.334	1.913	0.948
<i>Observations</i>	6,642	6,590	3,126	3,439	3,317	4,899
<i>Clusters</i>	21	21	21	21	21	21
Individual Controls	Yes	Yes	Yes	Yes	Yes	Yes
Geographic Controls	Yes	Yes	Yes	Yes	Yes	Yes
Disease Controls	Yes	Yes	Yes	Yes	Yes	Yes
Precolonial and Colonial Controls	Yes	Yes	Yes	Yes	Yes	Yes
Region FE	Yes	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by colonial province. Wild cluster bootstrap (by district) p-values are in brackets. The unit of observation is an individual. Colonial imprisonment (ST or LT) is the average share of short-term (ST) or long-term (LT) incarcerated populations in each colonial province over 1920 to 1938 as defined in the text. Trust variables are from the Afrobarometer samples over 2003 to 2014 and as defined in the main text. Trust outcomes are reported trust levels on a scale of 0-3, where “Not at all”= “0”, “Just a little”=“1”, “Somewhat”=“2”, “A lot”=“3”. All regressions use region fixed effects at the geopolitical zone level in Nigeria (for 6 geopolitical zones), year fixed effects and educational attainment fixed effects. Individual controls include age, age squared and gender. Geographic controls include an indicator for whether the respondent lives in an urban location, and, at the sub-district or local government area level, include, ruggedness, indicators for petroleum, seacoast and mean land suitability for agriculture and mean elevation in alternate specifications. Disease controls at the sub-district level include malaria suitability and tsetse fly suitability in alternate specifications with results unchanged. Precolonial and colonial controls at the ethnicity-level include the level of precolonial centralization and total exports of slaves from the region during the Atlantic slave trade. ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level.

Table 9: OLS estimates of the relationship between colonial imprisonment and present-day crime outcomes

Outcome:	Bribe Doc	Bribe HHS	Fear Crime	Bribe Doc	Bribe HHS	Fear Crime
Covariate:	Colonial Imprisonment (ST)			Colonial Imprisonment (LT)		
	(1)	(2)	(3)	(4)	(5)	(6)
Colonial imprisonment	0.026 (0.139) [0.890]	-0.151 (0.175) [0.544]	-0.467** (0.231) [0.117]	-0.263 (0.245) [0.426]	0.108 (0.246) [0.737]	0.256 (0.404) [0.669]
Mean of outcome	0.225	0.229	0.571	0.225	0.229	0.571
<i>Observations</i>	4,279	4,343	6,700	4,279	4,343	6,700
<i>Clusters</i>	21	21	21	21	21	21
Individual Controls	Yes	Yes	Yes	Yes	Yes	Yes
Geographic Controls	Yes	Yes	Yes	Yes	Yes	Yes
Disease Controls	Yes	Yes	Yes	Yes	Yes	Yes
Precolonial and Colonial Controls	Yes	Yes	Yes	Yes	Yes	Yes
Region FE	Yes	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes	Yes

Notes: Regressions estimated by OLS. Robust standard errors in parentheses clustered by colonial province. Wild cluster bootstrap (by district) p-values are in brackets. The unit of observation is an individual. Colonial imprisonment (ST or LT) is the average share of short-term (ST), in columns (1)-(3), or long-term (LT), in columns (4)-(6), incarcerated populations in each colonial province over 1920 to 1938 as defined in the text. Outcome variables are from the Afrobarometer samples over 2003 to 2014 and as defined in the main text. Bribe Doc and Bribe HHS is reported frequency of respondent bribery of government official for document and household services respectively where “Never”=“0”, “Once or Twice”=“1”, “A Few Times”=“2”, “Often”=“3”. Fear Crime is how often respondent or family has feared crime in their home where “Never”=“0”, “Just once or twice”=“1”, “Several times”=“2”, “Many times”=“3”, “Always”=“4”. All regressions use region fixed effects at the geopolitical zone level in Nigeria (for 6 geopolitical zones), year fixed effects and educational attainment fixed effects. Individual controls include age, age squared and gender. Geographic controls include an indicator for whether the respondent lives in an urban location, and, at the sub-district or local government area level, include, ruggedness, indicators for petroleum, seacoast and mean land suitability for agriculture and mean elevation in alternate specifications. Disease controls at the sub-district level include malaria suitability and tsetse fly suitability in alternate specifications with results unchanged. Precolonial and colonial controls at the ethnicity-level include the level of precolonial centralization and total exports of slaves from the region during the Atlantic slave trade. ***Significant at the 1 percent level, **Significant at the 5 percent level, *Significant at the 10 percent level.

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