

# The Criminality of the State

*Written by Albert Jay Nock for the American Mercury, March, 1939.*

As well as I can judge, the general attitude of Americans who are at all interested in foreign affairs is one of astonishment, coupled with distaste, displeasure, or horror, according to the individual observer's capacity for emotional excitement. Perhaps I ought to shade this statement a little in order to keep on the safe side, and say that this is the most generally expressed attitude.

All our institutional voices — the press, pulpit, forum — are pitched to the note of amazed indignation at one or another phase of the current goings-on in Europe and Asia. This leads me to believe that our people generally are viewing with wonder as well as repugnance certain conspicuous actions of various foreign States; for instance, the barbarous behavior of the German State towards some of its own citizens; the merciless despotism of the Soviet Russian State; the ruthless imperialism of the Italian State; the "betrayal of CzechoSlovakia" by the British and French States; the savagery of the Japanese State; the brutishness of the Chinese State's mercenaries; and so on, here or there, all over the globe — this sort of thing is showing itself to be against our people's grain, and they are speaking out about it in wrathful surprise.

I am cordially with them on every point but one. I am with them in repugnance, horror, indignation, disgust, but not in astonishment. The history of the State being what it is, and its testimony being as invariable and eloquent as it is, I am obliged to say that the naive tone of surprise wherewith our people complain of these matters strikes me as a pretty sad reflection on their intelligence. Suppose someone were impolite enough to ask them the gruff question, "Well, what do you expect?" — what rational answer could they give? I know of none.

Polite or impolite, that is just the question which ought to be put every time a story of State villainy appears in the news. It ought to be thrown at our public day after day, from every newspaper, periodical, lecture platform, and radio station in the land; and it ought to be backed up by a simple appeal to history, a simple invitation to look at the record. The British State has sold the Czech State down the river by a despicable trick; very well, be as disgusted and angry as you like, but don't be astonished; what would you expect? — just take a look at the British State's record! The German State is persecuting great masses of its people, the Russian State is holding a purge, the Italian State is grabbing territory, the Japanese State is buccaneering along the Asiatic Coast; horrible, yes, but for Heaven's sake don't lose your head over it, for what would you expect? — look at the record!

**No State Excepted**

That is how every public presentation of these facts ought to run if Americans are ever going to grow up into an adult attitude towards them. Also, in order to keep down the great American sin of self-righteousness, every public presentation ought to draw the deadly parallel with the record of the American State. The German State is persecuting a minority, just as the American State did after 1776; the Italian State breaks into Ethiopia, just as the American State broke into Mexico; the Japanese State kills off the Manchurian tribes in wholesale lots, just as the American State did the Indian tribes; the British State practices large-scale carpetbagging, like the American State after 1864; the imperialist French State massacres native civilians on their own soil, as the American State did in pursuit of its imperialistic policies in the Pacific, and so on.

In this way, perhaps, our people might get into their heads some glimmering of the fact that the State's criminality is nothing new and nothing to be wondered at. It began when the first predatory group of men clustered together and formed the State, and it will continue as long as the State exists in the world, because the State is fundamentally an anti-social institution, fundamentally criminal. The idea that the State originated to serve any kind of social purpose is completely unhistorical. It originated in conquest and confiscation — that is to say, in crime. It originated for the purpose of maintaining the division of society into an owning-and-exploiting class and a propertyless dependent class — that is, for a criminal purpose.

No State known to history originated in any other manner, or for any other purpose. Like all predatory or parasitic institutions, its first instinct is that of self-preservation. All its enterprises are directed first towards preserving its own life, and, second, towards increasing its own power and enlarging the scope of its own activity. For the sake of this it will, and regularly does, commit any crime which circumstances make expedient. In the last analysis, what is the German, Italian, French, or British State now actually doing? It is ruining its own people in order to preserve itself, to enhance its own power and prestige, and extend its own authority; and the American State is doing the same thing to the utmost of its opportunities.

### **A Scrap of Paper**

What, then, is a little matter like a treaty to the French or British State? Merely a scrap of paper — Bethmann-Hollweg described it exactly. Why be astonished when the German or Russian State murders its citizens? The American State would do the same thing under the same circumstances. In fact, eighty years ago it did murder a great many of them for no other crime in the world but that they did not wish to live under its rule any longer; and if that is a crime, then the colonists led by G. Washington were hardened criminals and the Fourth of July is nothing but a cutthroat's holiday.

The weaker the State is, the less power it has to commit crime. Where in Europe today

does the State have the best criminal record? Where it is weakest: in Switzerland, Holland, Denmark, Norway, Luxembourg, Sweden, Monaco, Andorra. Yet when the Dutch State, for instance, was strong, its criminality was appalling; in Java it massacred 9,000 persons in one morning which is considerably ahead of Hitler's record or Stalin's. It would not do the like today, for it could not; the Dutch people do not give it that much power, and would not stand for such conduct. When the Swedish State was a great empire, its record, say from 1660 to 1670, was fearful. What does all this mean but that if you do not want the State to act like a criminal, you must disarm it as you would a criminal; you must keep it weak. The State will always be criminal in proportion to its strength; a weak State will always be as criminal as it can be, or dare be, but if it is kept down to the proper limit of weakness — which, by the way, is a vast deal lower limit than people are led to believe — its criminality may be safely got on with.

So it strikes me that instead of sweating blood over the iniquity of foreign States, my fellow-citizens would do a great deal better by themselves to make sure that the American State is not strong enough to carry out the like iniquities here. The stronger the American State is allowed to grow, the higher its record of criminality will grow, according to its opportunities and temptations. If, then, instead of devoting energy, time, and money to warding off wholly imaginary and fanciful dangers from criminals thousands of miles away, our people turn their patriotic fervor loose on the only source from which danger can proceed, they will be doing their full duty by their country.

Two able and sensible American publicists — Isabel Paterson, of the New York *Herald Tribune*, and W.J. Cameron, of the Ford Motor Company — have lately called our public's attention to the great truth that if you give the State power to do something *for* you, you give it an exact equivalent of power to do something *to* you. I wish every editor, publicist, teacher, preacher, and lecturer would keep hammering that truth into American heads until they get it nailed fast there, never to come loose. The State was organized in this country with power to do all kinds of things for the people, and the people in their short-sighted stupidity, have been adding to that power ever since. After 1789, John Adams said that, so far from being a democracy of a democratic republic, the political organization of the country was that of “a monarchical republic, or, if you will, a limited monarchy”; the powers of its President were far greater than those of “an avoyer, a consul, a podesta, a doge, a stadtholder; nay, than a king of Poland; nay, than a king of Sparta.” If all that was true in 1789 — and it was true — what is to be said of the American State at the present time, after a century and a half of steady centralization and continuous increments of power?

## **Power Corrupts**

Power, for instance, to “help business” by auctioning off concessions, subsidies, tariffs, land grants, franchises; power to help business by ever encroaching regulations, supervisions, various forms of control. All this power was freely given; it carried with it the equivalent

power to do things to business; and see what a banditti of sharking political careerists are doing to business now! Power to afford “relief” to proletarians; and see what the State has done to those proletarians now in the way of systematic debauchery of whatever self-respect and self-reliance they may have had! Power this way, power that way; and all ultimately used against the interests of the people who surrendered that power on the pretext that it was to be used for those interests.

Many now believe that with the rise of the “totalitarian” State the world has entered upon a new era of barbarism. It has not. The totalitarian State is only the State; the kind of thing it does is only what the State has always done with unfailing regularity, if it had the power to do it, wherever and whenever its own aggrandizement made that kind of thing expedient. Give any State like power hereafter, and put it in like circumstances, and it will do precisely the same kind of thing. The State will unfailingly aggrandize itself, if only it has the power, first at the expense of its own citizens, and then at the expense of anyone else in sight. It has always done so, and always will.

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The idea that the State is a social institution, and that with a fine upright man like Mr. Chamberlain at the head of it, or a charming person like Mr. Roosevelt, there can be no question about its being honorably and nobly managed — all this is just so much sticky flypaper. Men in that position usually make a good deal of their honor, and some of them indeed may have some (though if they had any I cannot understand their letting themselves be put in that position) but the machine they are running will run on rails which are laid only one way, which is from crime to crime. In the old days, the partition of CzechoSlovakia or the taking-over of Austria would have been arranged by rigmarole among a few highly polished gentlemen in stiff shirts ornamented with fine ribbons. Hitler simply arranged it the way old Frederick arranged his share in the first partition of Poland; he arranged the annexation of Austria the way Louis XIV arranged that of Alsace. There is more or less of a fashion, perhaps, in the way these things are done, but the point is that they always come out exactly the same in the end.

Furthermore, the idea that the procedure of the “democratic” State is any less criminal than that of the State under any other fancy name, is rubbish. The country is now being surfeited with journalistic garbage about our great sister democracy, England, its fine democratic government, its vast beneficent gift for ruling subject peoples, and so on; but does anyone ever look up the criminal record of the British State? The bombardment of Copenhagen; the Boer War; the Sepoy Rebellion; the starvation of Germans by the post-Armistice blockade; the massacre of natives in India, Afghanistan, Jamaica; the employment of Hessians to kill off American colonists. What is the difference, moral or actual, between Kitchener’s democratic concentration camps and the totalitarian concentration camps maintained by Herr Hitler? The totalitarian general Badoglio is a

pretty hard-boiled brother, if you like, but how about the democratic general O'Dwyer and Governor Eyre? Any of the three stands up pretty well beside our own democratic virtuoso, Hell Roaring Jake Smith, in his treatment of the Filipinos; and you can't say fairer than that.

## **The British State**

As for the British State's talent for a kindly and generous colonial administration, I shall not rake up old scores by citing the bill of particulars set forth in the Declaration of Independence; I shall consider India only, not even going into matters like the Kaffir war or the Wairau incident in New Zealand. Our democratic British cousins in India in the Eighteenth Century must have learned their trade from Pizarro and Cortez. Edmund Burke called them "birds of prey and passage." Even the directors of the East India Company admitted that "the vast fortunes acquired in the inland trade have been obtained by a scene of the most tyrannical and oppressive conduct that was ever known in any age or country." Describing a journey, Warren Hastings wrote that "most of the petty towns and serais were deserted at our approach"; the people ran off into the woods at the mere sight of a white man. There was the iniquitous salt monopoly; there was extortion everywhere, practiced by enterprising rascals in league with a corrupt police; there was taxation which confiscated almost half the products of the soil.

If it be said that Britain was not a sister democracy in those days, and has since reformed, one might well ask how much of the reformation is due to circumstances, and how much to a change of heart. Besides, the Black-and-Tans were in our day; so was the post-Armistice blockade; General O'Dwyer's massacre was not more than a dozen years ago; and there are plenty alive who remember Kitchener's concentration camps.

No, "democratic" State practice is nothing more or less than State practice. It does not differ from Marxist State practice, Fascist State practice, or any other. Here is the Golden Rule of sound citizenship, the first and greatest lesson in the study of politics: *you get the same order of criminality from any State to which you give power to exercise it; and whatever power you give the State to do things for you carries with it the equivalent power to do things to you.* A citizenry which has learned that one short lesson has but little more left to learn.

Stripping the American State of the enormous power it has acquired is a full-time job for our citizens and a stirring one; and if they attend to it properly they will have no energy to spare for fighting communism, or for hating Hitler, or for worrying about South America or Spain, or for anything whatever, except what goes on right here in the United States.