

# The Case for a Voluntary Society

*Written by Chase Rachels.*

The establishment of a few axiomatic truths is required to make rational inferences from observed activity. Examples of these include: no object can be in two places at the same time, one and one make two, and of course “A” is “A”. It would seem, however, that an additional claim has made its way to this list of self-evident truths with little conscious awareness; the necessity of the State. Of all the commonly accepted truisms, this one is among the least scrutinized and the most dubious. All other axioms may be verifiable from direct observation. You are you (the philosophic equivalent of “A is A”) can be verified by looking in the mirror. One and one make two may be verified by taking an individual stone and placing it next to another. However, how do we verify the necessity of the state? The first response may be “well it has always been there!” This of course is a non-sequitur as the longevity of the state has nothing to do with its validity. Perhaps other examples of tribal or archaic societies will be cited to show the state as being necessary to protect us from such a base or savage lifestyle. However, these examples also tend to fit within the definitional parameters of a “State”.

This of course brings us to the question of “What is the State?” In the words of Dr. Hans Hermann Hoppe the State “is defined as an agency characterized by two unique, logically connected features. First, the state is an agency that exercises a territorial monopoly of ultimate decision making. That is, the state is the ultimate arbiter in every case of conflict, including conflicts involving itself. It allows no appeal above and beyond itself. Second, the state is an agency that exercises a territorial monopoly of taxation. That is, it is an agency that unilaterally fixes the price that private citizens must pay for the state’s service as ultimate judge and enforcer of law and order.” (Hoppe) The conflict of interest should be apparent and the logic of the definition sound. Extrapolated from this definition is the State’s exclusive “legal” right to *initiate* the use of force against others, peaceful or otherwise.

Now that we know what the State is we may conclude that Anarchy is what the State is not: A society organized and based exclusively on voluntary exchange, association, and intercourse. Before the practical application of an anarchic system is elaborated upon, it would behoove us to review the two fundamental principles upon which it is based: The Non-Aggression Principle and The Principle of Self-Ownership. In the words of Dr. Murray Rothbard the Non-Aggression Principle states that “No man or group of men may aggress against the person or property of anyone else.... ‘Aggression’ is defined as the initiation of the use or threat of physical violence against the person or property of anyone else. Aggression is therefore synonymous with invasion.” (Rothbard, 23) The State must

necessarily be in conflict with this principle as its functioning is predicated upon the *initiation* of the use of force and coercion. Thus, proponents of the Non-Aggression Principle must endorse a system of anarchy as the only viable and logically consistent alternative to the State. This is of course tautological; if you are pro-state you must be anti-anarchy and vice-versa, since the existence of one negates that of the other. There is no third option. Thus phrases like “I am for a non-coercive state” or “I support a state that does not operate by means of initiating force” are contradictory since coercion and force initiation are both intrinsic attributes of State function.

Dr. Rothbard carries on to define the Principle of Self Ownership as “the absolute right of each man by virtue of his/her being a human being, to ‘own’ his or her own body; that is, to control the body free of coercive interference.” (Rothbard, 28) For the reasons stated above, this principle is also in direct conflict with the premises of the State. There are only two alternatives to this statement. One is that another person or group of persons has a higher claim to your body than you do. This philosophy of course lends itself to aristocracy, oligarchy, and despotism. The other is that everyone has an equal claim to everyone else’s body, so no one fully owns anyone nor do they own themselves. This philosophy of course lends itself to ideas of democracy, socialism, and communism. This second alternative is the philosophical premise upon which our current state rests upon today. Some may argue that perhaps it’s a hybrid of these two alternatives with those in Washington being the oligarchs and the populace being the mutually owned proletariat, however, what can be certain is that we are not being permitted to exercise exclusive rights to our sovereign bodies as stated in the Principle of Self Ownership. One final premise I would like to establish prior to our discussion of a practical application of anarchy are the necessary criteria for the ownership of property. The first one is original appropriation, or in other words “finders keepers.” If you so happen to stumble upon an unclaimed good in nature then you may claim ownership of said good if you so choose. The second criterion is simply a consequence of the first as it states that anything you produce from your originally appropriated good is also yours. Dr. Hoppe states the third and final means by which one may attain rightful ownership over a good to be through “...voluntary, contractual transfer of its property title from a previous to a later owner. To deny these truths is to claim that a second person or set of people have a higher claim on your property, or that everyone shares an equal share of all property.” (Hoppe) Notice that Dr. Hoppe’s final point mirrors the alternatives to the Principle of Self-Ownership; this is not merely coincident. At least one of these three aforementioned criteria must be met in order for an individual to be considered the rightful owner of a given good.

Quickly, I would like to suggest a methodology of evaluating the merits of anarchy. The first point I would like to make is that the following stateless solutions to complex social problems I will be proposing are not meant to be authoritative, rather they are simply meant to be viewed as plausible examples of how said problems *could* or *may* be resolved.

The marketplace of ideas driven by billions of minds will doubtlessly come up with much more refined and innovative solutions to the issues we will be discussing shortly. Secondly, I ask that when you evaluate the validity of these proposals that you compare them to current state methods and their corresponding efficacy as opposed to an ideal or utopic society. Many of us tend to make that unfair contrast when scrutinizing such theories.

First and foremost I would like to discuss two ideas and/or functions which all States ascribe to: taxation and social contract. Let us start by breaking down the implications of taxation, by first asking its purpose. Well that is simple enough; taxes are imposed on any given people as a means to fund the operations of the state. Taxes come in many forms ranging from sales tax, capital gains tax, estate tax, income tax, inflation tax (printing money), excise tax, tariffs ...etc. There are too many to make an exhaustive list, suffice to say the State prides itself in its ability to formulate different means to tax its constituents. The common element shared by all taxes, however, is their mandatory nature. Payment of these taxes is not conditional, and anyone caught trying to evade said payments will be quickly punished in the form of fines, imprisonment, or even death. Thus it may be concluded that taxation in itself is a form of coercion as condemned by the Non-Aggression Principle (NAP) stated above. We can take this conclusion further by equating taxation to theft, i.e. you are compelled to pay them under the threat of coercion. Whether the act is committed by a common thug or an agent of the State with a shiny badge and a funny hat, coercing an individual to relinquish his/her personal effects is an act of theft. Anarchists are diametrically and fundamentally opposed to theft as it is in direct violation of both its fundamental principles of Non-Aggression and Self-Ownership. On a side note, it is counter-intuitive for States to claim that in order to protect your property they must first fund their protective measures by violating the very property rights they portend to protect through taxation! This type of cognitive dissonance is typical of the State when attempting to validate its existence. Some may say that taxation is not theft because we get a product or service in return in the form of a public good be it a road or a public library. However, this is analogous to purchasing a car for someone in his/her name and expecting him/her to pay for it. It is ludicrous to expect someone to pay for a product or service he/she did not agree to purchasing even if the individual is able to enjoy the benefits of said public good (as in the case of national defense). Where there is no consent, there may be no liability, and this brings us to the highly acclaimed Social Contract.

Does this phrase sound familiar to you? "If you don't like Country X then you can get the f\*&\$ out!" I may be digressing, but I thought it noteworthy to acknowledge the "insult upon injury" expectation to not only pay for a service you didn't ask for, but to also not complain about what you get or even offer alternative means of its production or allocation. This idea is of course completely at odds with the free market. Reverting back to the Social Contract, I feel it to first be in order to define exactly what a Social Contract is in the context of the State in relation to its constituents. A Social Contract is, in short, a binding contract applied

to all persons arbitrarily determined to fall under the jurisdiction (typically determined by their physical residence) of the State. Being under the State's arbitrarily determined jurisdiction is literally the only requisite for the contract to be binding. Your lack of individual and voluntary consent is immaterial. Again, we find another conflict with the premises of the State, as Anarchists recognize the only valid contracts to be ones in which are individually and voluntarily agreed upon absent the threat of coercion. You may say that "well we do in fact choose and therefore voluntarily consent to such public goods through the process of voting!" Yet again, even assuming you aren't just voting in self-defense for fear that someone may use the state against you if you refrain, a majority vote does not translate into the consent of each individual being bound by the contract. "Well, what if we could get unanimous consent? Would it still then be considered an invalid contract?" If society can achieve unanimous consent on a particular issue then the involvement of the state would be entirely superfluous. At that point the State would be an unnecessary middle-man.

Next we will evaluate the age-old argument that the state is necessary to protect the good people from the bad people. So let us first take a step back and consider the four possibilities of societal makeup.

- 1. All men are moral. If this is true then of course there is no need for a state, since the threat of "bad" people will inherently be nil.*
- 2. All men are immoral. If this is a case then we are all screwed and any attempt to form a state can only result in the wicked tyrannizing everyone else. This situation may be the most representative of the stereotypical Mad Max view of Anarchy.*
- 3. The majority of men are moral and a minority immoral. This is what I personally believe to be the case. However, since the state represents the institutional monopoly over the "legal" initiation of the use of force over others, then certainly evil people will occupy a great many positions of authority in that system as good people tend to not seek this coercive power. A curious observation on this point is that many people tend to think of the state as immune from infiltration by immoral people; however it would seem the contrary is closer to the truth. Even if some good people are able to attain positions of authority in this system, many of them will succumb to corruption from exposure to this unnatural coercive*

*power.*

- 4. The majority of men are immoral and the minority is moral. In this case a State would certainly be destructive as the constituents, which as stated above consist of a majority of immoral persons, would simply use their voting power to push through immoral policies.*

Thus we may conclude that in all four possible situations, the State is not a preferable solution to the issue of the existential threat posed by evil people (Molyneux, 90).

Before we can discuss law and order, I must first introduce the ideas of dispute resolution organizations (DRO) a.k.a third party arbiters and the diverse application of insurance companies.

Third party arbitration is simply the private form of what we know today as the court system. The difference is, however, that the arbiters being used in any dispute between two or more parties must be agreed upon by each party before any subsequent arbitration may take place. This successfully averts the sticky conflict of being subject to laws under which an individual does not agree. Again, think back to the idea of Social Contract. If rulings by any DRO are seen to be biased or unjust then the individual may always play the trump card and make the ruling public, and if the claim is found to be valid then there will be a loss of major business for this dubious DRO. Also keep in mind that it would be in the interest of any competing DRO's to detect this type of foul play. Thus, this system of competing DRO's, consumer evaluations, and the press serve to regulate and temper any potential abuse of arbitration power. The success of a particular DRO will be predicated upon consumer satisfaction, reputable past dealings, availability of subject matter experts related to various disputes, and the degree to which their rulings are viewed as valid which again goes hand in hand with its reputation. Furthermore, the DRO's level of interoperability with other DRO's will be another major factor in its success and profitability. A real world example of this would be the cell phone industry; would you really want an AT&T phone if you could not talk to someone using Sprint or Verizon? Thus, there are obvious economic incentives for these DRO's, as well as other third party insurance organizations, to establish a high degree of reciprocity and interoperability within their operational procedures.

Let us move on to the establishment of property ownership. This may be accomplished by the certification of a third party service provider. It would be in the consumer's best interest to select a widely recognizable certifier so as to decrease the probability of losing an arbitration battle against someone with a competing claim on the given property. If a

property dispute takes place, the third party arbitrators may simply review the date at which the disputed property was claimed by each of the self-proclaimed owners along with the validity of the records provided to determine the ruling. Again, a third party arbitrator may also provide a means for the prospective patron to appeal any unfavorable judgment as a means to quell his/her concerns of these potentially sticky situations and thus make its service that much more desirable. And of course as mentioned earlier, the consumer will always wield the whistle blowing trump card.

Next we move on to the applicability of insurance companies. In a stateless society one's reputation is vital for his/her economic viability. Many businesses will have a vested interest in verifying a given person's reputability before dealing with said individual, so as to determine the probability of transactional reciprocation (the chances that the person will/or can actually pay for the product or service being offered). With the presence of such a demand, it will be highly likely that insurance companies or some other third party will provide the service of easily scannable and conveniently accessible third party records. These records could include a plethora of information ranging from a person's credit history, criminal history, medical information...etc. Of course, many businesses would likely require or highly recommend the usage of such personal records when conducting business and different businesses will place a different amount of weight on different pieces of information. Of course these personal records may be conveniently stored and carried in the form of a card or even an RFID chip. The individual will be economically compelled to attain this service and will probably also have to submit his/herself to a few stipulations set by the insurance/records provider in the case of misconduct during the patronage of said service. For example, if he/she decides to steal, the premiums for the insurance will likely increase as he/she becomes viewed as a higher risk and the individual will be required to compensate the affected owner of said stolen property before coverage is reinstated.

The same methodology would apply to anyone who murders or rapes or performs any other form of misconduct. The costs of compensation or even length of voluntary confinement will be in proportion to the heinous degree of the crime committed. One may object however "what if the person goes off the grid?" Well, two things: First, the person will have to forgo all the luxuries that the division of labor provides and deal with the plights of economic ostracism. Second, the risk for this exists under a State system so it is not an argument against Anarchy in favor of the State. In addition, it would be in these insurance companies best interest to create an environment where these altercations are prevented, as this is the only guaranteed situation where the insurance company will profit. The State not only is absent this incentive to prevent crime, it actually has every incentive to allow it to increase so that it may justify an expansion in its budget. Also, most victims prefer a form of monetary restitution to having to pay for their offender's incarceration fees through taxes! Simply put, in a free society with no trading prohibitions, the economic incentives for crime are dramatically decreased whilst there is a corresponding increase in

the incentive to conduct honest business. Anarchy does in no way rely upon the good nature of people to function properly; it only assumes that people are motivated by self-interest. This does not preclude the existence of altruism, however, as acts of altruism are inherently voluntary.

Next the dreaded question of National Defense! Well we run into the age old collective action problem, where some claim that if everyone is not forced to pay or if they do not have assurances that others will pay, then they themselves will not either. However, there is plenty of empirical evidence to the contrary. Let's take tipping for example, most people tip even though they are well aware of the possibility that others will not. These defense DRO's will, unlike the State system of national defense, be primarily concerned with economic efficiency. They will attempt to provide the highest degree of defense at the lowest cost. Additionally, there will not be the moral hazard that permits them to be used to police the world and "secure interests", because their existence will be predicated on continuous patronage of its customers, who will not be willing to fund such unnecessary and costly adventurism. It is the very fact that many are concerned with foreign invasion that will serve to fuel the demand requisite for the manifestation of a defense DRO service and its associated financial viability. Also, these defense DROs may provide its patrons with donor cards which various businesses may offer discounts for showing. Again, this is all speculation, but hopefully you are able to see the viability of such an arrangement. Furthermore, the lack of gun controls will discourage domestic criminals or foreign invaders from heedlessly invading the country or a given person's property. A disarmed populace, after all, is just asking for predatory targeting. Finally, private security firms would rise out of the lack of desire for people to have to protect themselves.

This leads us to our final point of "how do we prevent the manifestation of another State out of these Defense DROs and private security firms?" Well, this is an obvious concern, and as such, when said Defense DRO or private security firm is soliciting to you their services they will have to find an innovative way to quell this fear. Perhaps some methods may include subjecting themselves to third party inspections to ensure they are not amassing a secret army (the funding of which would raise a myriad of other obstacles which we will not elaborate on). Perhaps they will also set up a trust fund managed by a third party in which they will submit to you if they are found to be operating outside of their contractual guidelines. Again, *everyone's* prosperity and livelihood in a stateless society would be intrinsically tied to the continued absence of the State. This, therefore, would provide the self-interested incentive for consumers to demand safe-guards against the manifestation of such a State. Finally, would it not be considered a funny concern that there is a mere chance of a state forming in an anarchic system? How would ensuring the existence of a state possibly be seen as a preferable alternative to this? Certainly this is a ridiculous suggestion.

I know we only covered a few topics, but hopefully now you have not only learned the ethical basis behind the idea of Anarchy, but also the viability of its practical application. For those of you who think that Anarchy is just an idealistic notion, ask yourself is the more realistic one really a system that is funded through coercion and whose policies are formulated by a select few and whose compliance is mandated under threat of violence? Is this not the incredibly idealistic and I would argue irrational and evil notion? Please, I only ask at the very least not that you agree, but that you instead refrain from supporting the use of violence to forcibly impose your will on me. I promise I will pay you the same respect.

### **Works Cited**

- Hoppe, Hans-Hermann. "State or Private-Law Society - Hans-Hermann Hoppe - Mises Daily." Ludwig Von Mises Institute. 9 May 2011. Web. 29 Nov. 2011.
- Molyneux, Stefan. *Practical Anarchy*. Freedomain Library, 2008. Print.
- Rothbard, Murray Newton. *For a New Liberty: the Libertarian Manifesto*. San Francisco: Fox & Wilkes, 1978. Print.