The Monopoly on Crime

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"One Voluntaryist's Perspective" is an original column appearing sporadically at Everything-Voluntary.com, by the founder and editor Skyler J. Collins. Archived columns can be found here. OVP-only RSS feed available here.

The difference between the state and an owner of private property is often made fuzzy by anarchists of the collectivist tradition. They see those who claim private property beyond what they personally occupy and use as a form of statism, and on that ground incompatible with anarchism. I think the difference can be explained as the state claiming and enforcing a monopoly on the provision of law and order, and by extension, a monopoly on crime. Let me explain.

Private Property

In a free, anarchistic, voluntary society, property title isn't assigned and maintained on the basis of state privilege, and so the costs of claiming and maintaining one's property can't be pushed onto unwilling others (taxpayers). This means that property, in order to be considered legitimate, must be defended by either force or reason, both of which inform the developing customs of a given society. And this defense is paid for by those who have an interest in keeping for themselves said property.

The State

Contrasting the concept of private property as explained above, the state is the institution (of people) in society that has managed, through the violent conquest of others, to claim the exclusive right to provide law and order within their supposed jurisdiction. Every state in history was born this way, and no state in history has ever managed to provide any actual evidence, besides it's arsenal of weapons, that its jurisdiction applies to anyone. Therefore, every state, both in theory and in practice, is an institution of aggression.

The Monopoly on Crime

Because the state claims a monopoly on the provision of law and order, the state decides what and what does not constitute crime. In order to maintain its position, the state requires that its subjects provide for it the necessary funds, liberties, and lives. What would

be called theft, trespass, and murder in a free society, the state calls taxation, regulation, and conscription. As the state decides what is and what is not crime, it follows that the state not only claims a monopoly on the provision of law and order, but it also claims a monopoly on the provision of crime. It uses this monopoly power to allow itself to commit just enough crime for its own maintenance, but forcefully prevents anyone else from attempting likewise.

Final Thoughts

The differences between the state and the owner of private property are obvious to any thinking individual. Property owners don't monopolize the provisions of law, order, and crime, nor do they claim sovereign immunity over their subjects, of which they have none. While certain amounts of property for a single individual might seem unfair, it is up to them personally to bear the costs of maintaining it. If they can, good for them. If they can't, then they'll be forced by economic realities to give up that which can be put to better use by others.

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