
The Voluntaryist

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"If one takes care of the means, the end will take care of itself."

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A Short Perspective on Land and Social Evolution

By Spencer H. MacCallum

What do we think about when thinking about "land"? The answer may seem obvious. But it is not. In the early 18th century, when most people were subsistence farmers, meeting most of their needs by their own efforts and having little traffic with the then still rudimentary market process, we thought of land as a tillable field or possibly a site for mining various natural resources. It gained value as we built up or imported richer soil or discovered minerals in it, and lost value as we exhausted the soil or the minerals in it. The French Physiocrat economists of the 18th century wrote of land as the source of all wealth. It was thought of as physical, the solid part of the earth's surface and, as such, necessarily limited in amount.

Then the market process began to evolve rapidly and to an extent unprecedented in human experience. By specializing their activity and exchanging products and services, people found their wealth increasing exponentially. But with specialization, land uses were no longer uniform. Instead of each family tilling the soil much as their neighbors did, land uses became increasingly diverse. Now it became important how a person located his activities relative to other land uses. Each wanted proximity to his specialized suppliers and markets, and so we had a booming growth in cities, as people crowded in and jockeyed for the most strategic position vis-a-vis others. Fertility of soil ceased to be a major consideration, except for farmers. What mattered more was access to surrounding land uses and natural features, which is to say, the unique environment to which each site offered access. A French Physiocrat might have quipped that "three things give land its value: fertility, fertility, and fertility." Today's realtor says, "location, location, and location."

The agriculturist envisioned land as some part of the solid surface of the earth because that was his universe; it was where he dwelt; it was what he knew. But a newer view, one more useful for economics, is that land is not physical, nor is it limited to the earth. In this more technical sense, "land" is intangible; it is simply a location in the universe differentiated from all others by its three-dimensional position in space. To be useful and hence to have value, it must be strategically located for someone's purpose vis-a-

vis human activities, present or prospective. Hence the value of a particular parcel of land depends on its *economic location*, which is to say its location relative to human activities. That value is independent of any resource or activity on the parcel, except as they might influence change in surrounding activities and these then react back upon and affect the original value. Economic location and, with it, land value, is ever changing, continually being destroyed and created, constantly in flux as individuals' plans and activities change.

So now we are talking about "land" in two quite different senses, the earliest having to do with the solid part of the earth's surface, and the more recent reflecting the growing specialization of land usage that for three centuries has developed apace with the evolving market process. Failure to recognize this historic change can cause us grief.

The 'Land Question'

John Locke in the 17th century theorized that land, not being something that anyone creates, since it is pre-existent, is not an appropriate subject for property as most people conceive of that term.¹ Postulating a labor theory of ownership, he held that the only way property can come into being is by someone expending labor in making it. Moreover, since land as he thought of it was limited in extent and yet was the source of men's subsistence, for anyone to claim absolute ownership over it would be immoral; for in theory, at least, the landed class might then deprive others of their very subsistence by excluding them from land when there was no place else to go. One should only claim the usufruct of land, therefore, and then only so far as there remains "as much and as good" for others. This becomes problematic, however, the moment someone claims scarcity. Locke suggested no solution to this. Presumably, it would be up to legislatures and courts to determine the fairness of individual land holdings and reassign them accordingly.

Influenced by Locke's labor theory and his moralizing bent, later writers, notably Karl Marx and Henry George, concluded that property in land was a usurpation, not a part of the order of nature, but an artificial monopoly enforced by the state for the benefit of the landed interests. Marx made the abolition of property in land the first plank of the Communist Manifesto of 1848, and George wrote a monumental work, *PROGRESS AND POVERTY*, arguing for nationalizing property in land or making it the

continued on page 4

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Potpourri from the Editor's Desk

No. 1 DELIVER THE VOTE

This is the title of a book which carries the sub-title of "A History of Election Fraud, An American Political Tradition, 1742-2004." "Drawing on records of hundreds of elections from the pre-colonial era through the 2004 election, [author] Tracy Campbell reveals how a persistent culture of corruption has long thrived in American elections. ... [It] has not been confined to one party, a single location, or a specific time period. ... The history of American elections clearly shows that whenever new technology raised new safeguards against fraud, the manipulators, bribers, and intimidators found ways to adjust. ... No matter how many reforms are implemented, no matter how trustworthy new voting devices appear, partisans will find new ways to manipulate and cheat." [from the front flap, and pp. 331 and 338] Even if none of the moral and philosophical issues raised in *DISSENTING ELECTORATE* were valid, the stories related here ought to be sufficient to make any thinking person question the electoral process [New York: Carroll & Graf Publishers, 2005. ISBN 0-7867-1591-X].

No. 2 "State Control Over Ideas"

The fear of books seems, at one time or another, to have affected most literate societies. It appears in aggravated form (bibliophobia compounded by pyromania) in the person of the book-burner. If he burns only his own books (and takes certain elementary precautions against the spread of fire) he is harmless. If he tries to persuade me to burn my books he is, at worst, annoying. But when he tries to burn my books, without my consent, he [is stealing my property].

For book-burner read censor. The analogy holds. If he is afraid of a book, he need not read it. If he is ready for a good argument, he can try to persuade me not to read it. But when he tells me (and others) what I am and am not permitted to read, [he is wrongfully coercing me]. ...

[W]e should insist on the obvious but often ignored distinction between criticism and censorship. The critic of dirty books who seeks to persuade others to

alter their reading habits is exercising his constitutional right to free expression. He is operating competitively in the marketplace of ideas in the best American tradition. But censorship is the reverse of the free marketplace; it is state control over ideas. ...

Censorship reflects a society's lack of confidence in itself. It is a hallmark of an authoritarian regime. ... In a free society a citizen has the power to choose, and bears responsibility for the choices he makes. Censorship laws [like all government laws] deprive us of choice and responsibility. They diminish us, and they diminish our society.

—John Henry Merryman, "The Fear of Books," *STANFORD TODAY* (Autmn 1966), pp. 14-17.

No. 3 "Central Banks and Private Money"

[C]entral banks are made, not born. They are products of human design and not of the spontaneous behavior that produced ... languages, and systems of weights and measures. This finding is particularly puzzling when one recalls that primitive money did appear spontaneously in similar fashion to languages. ..., and various mechanical devices; but unlike these other products of mankind's advancement, money has hardly ever been free of monopoly control by the state. The intriguing question is: Why would money, originally a natural development from systems of barter, become so universally and pervasively subject to man-made institutions of control? One might reason that a thing that appeared in so many different circumstances and places on its own best be left alone - that government, having had no hand in the origin of money could hardly improve upon the quality of private media of exchange by any means, no matter how well intentioned. Yet from the time of the ancient Greeks to the present, wherever and whenever money has appeared, state intervention, regulation, and monopoly privilege for state-sponsored institutions have not been far behind.

Much of the state's interest in controlling money has been for the obvious purpose of generating seigniorage. On this score the state's interest is clear - be it the coinage debasement of the ancient Romans or the central banks' more sophisticated monetization of government debt in the twentieth century. What is difficult to understand is why popular polity so condones these practices. The simple conclusion is that the popular mind does not understand the monetary machinery and therefore must put trust in "experts" who presumably have in their hearts the best interests of the general public. It is here that the public-choice question intrudes: Since the policy makers are self-interested mortals, can they behave as altruists on behalf of the people they allegedly serve?

—"Preface," Richard H. Timberlake, *MONETARY POLICY IN THE UNITED STATES*, Chicago: The University of Chicago Press, 1993, pp. xx-xxi.

No. 4 “No Mention of the Nation-State”

[I]n none of his commandments does God make mention of the idea of nation. He binds man to God himself, to his parents, to his neighbor, to the truth, to property, but by no injunction does he bind man to his nation. Have we not erred in calling upon God for national purposes, even those of us who believe firmly and deeply in him? ... He [Christ] did not teach love for one's fellow countryman, but for one's neighbor. “Honor thy father and thy mother,” but not the head of the nation. To the latter, render what is Caesar's, a material sacrifice, but not a sacrifice of the soul. God addresses himself to men and their human ties. The God revealed through Christ takes no heed of races, peoples, or nations.

Is it not possible that with our arbitrary nationalism we have affronted God and practiced idolatry? Yes, in that case the things that are happening would have meaning: God desires to root out thoroughly in all nations the propensity to harness him to their national ambitions.

—Carl Friedrich Goerdeler, “Thoughts of One Condemned to Death” by the Nazis in Helmut Gollwitzer, et. al., *DYING WE LIVE* (1956), pp. 90-91.

No. 5 “Society Contains Within Itself the Capacity to Resolve Conflicts and Create and Sustain Institutions that Further Social Co-operation”

[We do] not suppose that everyone in society is smart, enlightened, talented, educated, and peaceful. [We say] that society can deal with malevolence through the exchange economy, and in precisely the way we see today: private security companies, private production of locks and guns, private arbitration, and private insurance [as well as the myriad efforts of charities, churches, and other non-profit groups]. The free market can organize protection better than the state. Private enterprise can and does provide the police function better than the state. As Hayek argued, the state is wildly overrated as a mechanism of order keeping. The state is and has been in history a source of disorder and chaos, and the problem gets worse the more the state grows.

—Llewellyn Rockwell, “The Problem With Jail,” in *THE FREE MARKET*, May 2007, p. 6. ▢

Features of Somali Law

By Spencer H. McCallum

The kind of [customary] law system described in this book, once the norm for human society, is rare today. A striking feature is that it is compensatory rather than punitive. Law-breakers, instead of being imprisoned or otherwise punished, are required to compensate their victims. Any fines that are to be paid go to the victim rather than to the government, and they seldom exceed the compensation due. As

Anthony de Jasay in his *AGAINST POLITICS* (1997:240,fn.6) comments, “customary law is overwhelmingly restitution-based, while legal systems where justice is provided by the state tend to veer towards retribution.”

Viewed in global perspective, Somali law stands with the Latin and Medieval laws and the English common law against the statutory law that only became prevalent in continental Europe with the rise of the modern nation state. Somali law requires no legislature because it is not *made*. Somali traditional judges never think of their activity as “law-making,” and the assertion that anyone could *make* the law would strike them as weird, if not obscene. What Bruno Leoni says in his book, *FREEDOM AND THE LAW* (1991:81,83) about Roman law holds for Somali:

A large part of the Roman rules of law was not due to any legislative process whatever ... private Roman law was something to be described or to be discovered, not something to be enacted.

Another feature of Somali law that is characteristic of many systems of customary law but sounds odd to the European ear is that every Somali is insured by near kin against his or her liabilities under the law. Consequently a victim seldom fails to receive compensation, even if his or her rights are violated by children or by adults who are penniless, mentally ill, or who have fled abroad.

Because Somali law, being based upon custom, has no need of legislation or legislators, it is free of political influences. That independence makes for better law. The author maintains that crime is lower where customary law is followed than would be the case under legislated law. He suggests that much of Somalia today comes close to what might be called the “natural order of human society”—the hypothetical pattern of human association absent social distortions by political governments. Even so, he points out areas in the law that are in need of change. But these do not require legislation. He explains how many desirable changes—such as ending restrictions on the sale of land and enhancing the status of women—are implicit in economic development.

This book argues that the Somalis' traditional system of law and politics is capable of maintaining a peaceful society and guiding them to prosperity. In the absence of legislation at home and interventions from abroad (which fuel clan conflict by keeping alive the expectation of a central government with its awesome powers that each clan, in self-defence, must attempt to control), natural adjustments can be expected that will enable Somalis to maintain internal peace and participate fully in the global economy. Not only is there no need to set up a democracy, the author shows why any attempt to do so must inevitably produce chaos.

Among the controversial propositions in this book are these:

1. The concepts of property, freedom of contract, and justice were discovered and first developed not by the technologically advanced societies but by tribal societies.

2. Crime can be defined in terms of property rights.

3. Governments can neither add to nor subtract from the principle just stated, since property rights do not demand that criminals be punished but only that they compensate their victims.

4. Property rights are better protected by private agencies such as insurance companies than by a central government.

5. Every person should be insured for his liabilities under the law.

6. Law consists solely of principles and rules relating to property rights.

7. Custom provides a better basis for law than legislation.

8. Customary law generally shows a high regard for property rights.

9. Where the two conflict, Somalis usually prefer their customary law to Koranic law.

10. Political democracy is incompatible with property rights. The political system that is compatible with property rights is called "kritarchy."

11. Many Somalis prefer kritarchy to democracy.

12. Democracy is incompatible with a close-knit clan society.

—Excerpted from the "Editorial Preface" of Michael van Notten, *THE LAW OF THE SOMALIS* (Trenton: Red Sea Press, 2005, pp. xi-xiii. ▢)

A Short Perspective on Land and Social Evolution

continued from page 1

sole subject of taxation. The "land question" was hotly debated toward the end of the nineteenth century and the beginning of the twentieth. But the protagonists on both sides, unable to make headway in their arguments, gradually bogged down, and the subject of land has been largely ignored in economic literature since that time.

Spencer Heath in the mid-20th century suggested, as an alternative to Locke's labor theory, a different and perhaps more productive way of conceiving of property in general. He looked upon property not normatively or judgmentally, but descriptively, as anything that can be the subject matter of contract. This enabled him to describe for the first time the social function of property in land. While his conclusions hold for land ownership in pre-industrial society, they have particular relevance for an advanced market economy.

Social Role of Property in Land

Ownership is a social consensus that has little or nothing to do with legislated law, as evidenced by the elaborate development of systems of property in stateless societies. Owning things enables those

It Can Be Done! The "Man Who Saved 2.4 Million Eyes"

Can ophthalmological health care be given to the world's poor by any means other than government agencies?

Well, it has been done in Tamil Nadu, a state in southern India. There in Madurai, in 1976, Aravind Eye Care System was founded by Govindappa Venkataswamy. Its original clinic "promised care to poor and rich alike, regardless of ability to pay." Even today, poor patients are asked to pay what they can: removal of cataracts and sight restoration (via a low cost artificial intraoptical lens which Aravind also manufactures) costs about \$ 40, and it is free for those who cannot afford it. The for-profit operation is sustained by paying patients, and its manufacturing arm which produces 6-7% of the world's low-cost implantable lenses.

The original eleven bed clinic has expanded to a five hospital system throughout southern India. "Its rapid expansion over three decades was funded not by government grants, aid-agency donations, or bank loans, ..." The seed money came from a mortgage Dr. Venkataswamy (otherwise known as Dr. V) took out on his house. His sister and her husband, both eye surgeons, took pay cuts to help jump start the original clinic. Dr. V died in July 2006 but his long-time dream of establishing McDonald's-style eye-care franchises around the globe (based on his successful operation of Aravind) lives on. For further information see Stephen Miller, "McSurgery," *THE WALL STREET JOURNAL*, August 5-6, 2006, p. A6.

things to be bought and sold and traded, and hence a free market to develop. The virtue of a free market in land is that in an advanced society it enables people to move about freely, positioning their own specialized activities to best advantage relative to those of other people. Thus, property rights in land can be understood as positioning rights, and the buying and selling of land as the buying and selling of positioning rights with respect to the increasingly specialized location uses of others. Without freedom to barter and sell positioning rights with respect to one another in society, mobility and tenure would be precarious, subject to vicissitudes of force or favor. The choice between not having a free market and having one is the choice between *politics versus proprietorship*, the title chosen by Spencer Heath for his first collection of essays on the subject in 1936.

Heath went on further to describe how land, privately owned, is increasingly administered in an advanced economy as productive capital. He was fond

of defining capital in a way that highlights its function in the free-market process. Capital, he said, is any wealth in a market economy that is dedicated, directly or indirectly, to the use of others. Thus, Robinson Crusoe, as long as he was alone on the island, had no capital and never would, for there was no exchange system. He had tools, but these were not capital because they were serving only himself. Heath used the illustration of the tobacconist: his cigars on display are capital, but when he takes one out and puts it in his vest pocket intending to smoke it at lunch, that one is no longer capital. Deciding not to smoke it after all and putting it back in the display case, it becomes capital again. Any land owner who, instead of using a site for himself for a residence, say, or a subsistence farm, lets its use out to others, enters into the contractual, free-market process by administering that property as capital. As this becomes common practice in an advanced, free-market economy, it has some unexpected and altogether intriguing social implications.

The Manufacture and Marketing of Environment

An owner who lets or sells anything to another naturally wants it to be serviceable for his customer so that his customer will be able to serve him in turn. More than that, if he is entrepreneurial, he looks for ways to improve it. In the case of land, if he has let out its use to another, how can he do that? He can only improve a location in that case by tailoring its environment to his customer's needs. Thus, a land owner, who wants to improve the worth of a piece of land he has leased out, puts his attention not on the land itself, but inevitably on its *environment*.

By way of illustration, the owner of a shopping mall customizes the individual locations in the mall by a complex orchestration of the whole. He is alert to everything in the mall that is environmentally significant for the individual leased sites. Beyond providing adequate parking and attractive landscaping, he studies the placement of stores and common areas/facilities for their optimal effect on each merchant's economic location. He strives for an optimal selection of merchants to create the maximum draw from the market area collectively served by the merchants. He wants, moreover, for every merchant to find himself part of a vibrant community of merchants who together make an effective retailing team, each ready to cooperate in a hundred different ways such as participating in joint promotions, referring customers, maintaining a good appearance, keeping regular hours, or alerting one another promptly in security matters. Every team needs a coach, and he can fill that role. Because the merchants recognize that he is not partisan but is interested in the success of the whole mall, as such, the mall manager is in a position to provide effective leadership as the final environmental feature—the catalyst—that helps all of this to happen. All of this results from

the owner administering economic location as productive capital by putting it to the service of others.

But as the environment of the leased sites is blind to property lines and continues ever outward, so the mall owner's environmental concern extends well beyond the bounds of the mall. He wants all of the more obvious things in the surrounding community that affect the merchants collectively, such as convenient freeways and other transportation to and from the market area they serve. But more than that, the owner wants the surrounding community to be affluent, since that means a prosperous customer base for his merchants. The level of affluence in the host community is determined by many of the same things that give leased sites within the mall their utility, such as provision and maintenance of parks and well-placed streets, water and power and other utilities, sewerage, security, justice services, to name a few. The owner, therefore, is concerned with the quality of management in the surrounding community, as he is within the mall itself, which is to say that he is interested in the quality of local government. He is concerned that municipal services be performed and performed well and with minimal tax consequences for the community, whether that means monitoring, informally supervising, subsidizing, or actually providing the services, alone or in collaboration with other owners. Although attenuated with increasing distance, his non-partisan interest in sound public administration extends beyond the host community to the county, the state, and the nation.

This illustration had to do with an owner leasing out to multiple tenants. A small landlord, leasing or renting to perhaps one tenant, has little hope of improving or rearranging the environment of that small parcel to make it more valuable to the tenant. He is almost as helpless as an individual owner who uses the land directly. He lets it for whatever use and level of use the existing surroundings permit and has little control over how community infrastructure is provided. If he looks for any improvement at all, it is for municipal government to intervene on his behalf. But as he enlarges his holding or combines with others to achieve a holding of more practical size, and acquires multiple tenants, he gains leverage over the environment. He finds that in the very act of leasing to multiple tenants, each becomes a factor in the environment of every other, with a consequent potential for synergy. By careful selection, therefore, he strives to optimize his tenant mix. As his customer base increases, it becomes economically attractive for him to make other and more substantial investments of an environmental nature.

The development of multi-tenant income properties since only the mid-eighteenth century is one of the lesser known yet more dramatic stories in American land usage. In the last fifty years, more than half of the retail activity of the nation has shifted to shopping centers, and everywhere else, multi-tenant in-

come properties have proliferated both in number and in kind. The major types, listed here roughly in the order of their appearance, include hotels, apartment buildings, office buildings (“skyscrapers”), commercial airports, shopping centers, RV parks and camp grounds, mobile-home parks, marinas, science parks, professional parks, medical clinics, theme parks, and integrations and combinations of these into generalized, multi-use developments. Some hotels today, such as the MGM Grand or the Venetian in Las Vegas, have the complexity of a small city. A resident could fulfill any or all of his normal needs without ever leaving the property. As to size, both of the hotels named far surpass in population the city of Boston at the time of our War for Independence.

Thus in terms of increasing complexity and size, we can discern a historic trend of multi-tenant income properties moving at least in the direction of becoming what we are accustomed to think of as communities, albeit communities that are privately funded and administered through the free-market process.

Conclusion

Those influenced by the old view and by Locke’s labor theory of ownership hold that a “land owner” can be such in name only. He cannot own land because he can’t create it, land being pre-existent. Since he doesn’t create land, they don’t see that he performs any service. Not performing any service, he is not entitled to any recompense such as sales price or rent. Their view does not take into account the service that all owners, including owners of land, perform and for which they are recompensed in the market. Even the small land owner who is unable to do more than passively let or sell a location “as is,” without improving it, nevertheless performs a service deserving of its recompense.

The fundamental service performed by an owner of land or any other good is of two kinds. First is the stand-by service of holding clear, unchallenged title, which benefits all of society. For this he receives no recompense from any other party except that all members of the cooperating group respect his sole authority over the thing in question, as he does their authority over the things they own. Thus, they grant one another what is known in the old common-law language as “quiet possession,” “quiet” here meaning that others will respect it. This enables people to hold and productively use resources in society. Second is the service that an owner performs when he enters into the exchange system and transfers that quiet possession to another, and for this social/psychological (non-physical) service he appropriately receives a recompense. When such transfer takes place, both parties to the transaction profit and are recompensed according to how they value their property and what they receive in exchange. This transfer of ownership or title—this transfer of quiet possession—is a service *only owners can perform*, and it

is the sine-qua-non of civilization. The convention of ownership and exchange is the customary and non-political means, the peaceable means by which people hold and distribute resources in society.²

Environmental enterprise—the administration of land as productive capital—is relatively new in the world. It signifies a new direction in the continuing evolution of the free market toward providing not only individual goods and services, which it has given us in great abundance, but community and environmental services, which traditionally have been the province of political government. Projected into the future, this suggests that nature’s plan, as it were, for human society is that it shall be stateless—that is to say, consistent throughout, without any institutionalized contravention of property rights. This is broadly the pattern in which human society began: the headman of a local group or clan had influence, but no authority over the person or property of any other. The difficult period of transition from social cooperation in small groups based on kinship status to universal cooperation based on contract has been marked by upheavals and disturbances manifested repeatedly in massive predations by political governments. That period of transition is far from complete and its success far from assured, considering the technological resources now in the hands of the political rulers of the world. But there is light at the end of the tunnel, or so it would seem, and not that far off, if we can survive to reach it.

[Spencer H. MacCallum is author of numerous articles and books of interest to voluntaryists. See his *THE ART OF COMMUNITY* (1970), and *THE LAW OF THE SOMALIS* (editor, 2005). He may be reached at sm@look.net.] ☐

¹ It seems odd that Locke nevertheless does continue to use the term “property” with reference to land. For example, he wrote in *TWO TREATISES OF GOVERNMENT* (Second Treatise, Section 32, in Chapter 5), “*As much Land as Man Tills, Plants, Improves, Cultivates and can use the Product of, so much is his Property.*” But then it would follow that, according to Locke, should a man cease to till, plant, improve, cultivate, and use the product of land, it would cease to be his property. This is not consonant with the most ordinary usage of the term “property,” which denotes things that one can leave alone for long periods of time, if not indefinitely, without having them revert to the public domain. Property can be let to others with its time or use delimited, and that tenure is no less considered property, subject to its agreed-upon limitations. But the reversionary interest normally continues without limit as to time or the use one makes of it, so long, of course, as that use is not destructive of the similar rights of others.

² Note that speculation in land or any other kind of property can be beneficial, though risky. In an exchange system, an owner receives recompense only as he puts his property to the use of others, for market value arises only at the point of exchange, all other value being anticipatory or wishful. Holding property in anticipation of a greater value later can benefit the entire cooperating group—society—by preventing wasteful or premature use of scarce resources. But he who wrongly anticipates the future may receive less than he offered his property for initially. Only he who correctly anticipates society’s future needs will find himself in a position to do more of the same.

Comments on Anarchy

continued from page 8

chosen to consider the matter. Before proceeding, however, he will require the opposing parties to agree to his decision and he will then first attempt to bring a compromise agreement between them. Failing this he will decide the case. He is a mediator, not an arbitrator, meaning that he has no police power to enforce his decision. Agreeing to his decision is considered a moral obligation on the part of those involved. Another not dissimilar technique for dealing with conflict and wrong doing is provided by the traditional practice of some American Indian groups in their healing circles. I would highly recommend Rupert Ross, *RETURNING TO THE TEACHINGS, EXPLORING ABORIGINAL JUSTICE* (1996, Penguin Books) for details on this approach.

In anarchic polities as well one important feature concerning conflict is psychological. That is, in several such societies considerable emphasis is placed on anger control. It is imperative to restrain one's temper. In addition it is to be noted that the greatest number of casualties and worst kind of human conflict is warfare which is carried to its supreme climax by the state. During the twentieth century over one hundred million people lost their lives as a consequence of wars conducted by the several nation states. Stateless or governmentless societies lack the means and the motivation for conducting such mass killing.

Consensus is the primary mode for making decisions in an anarchic society. Matters of major policy require unanimity of consent or acquiescence - a sense of the meeting. Strongly dissenting factions are permitted to withdraw from the larger group. Thus, every effort is made to protect "minority" rights without jeopardizing those of the majority. Obviously, in a highly heterogeneous population such consensus would be difficult or impossible to achieve. Some have therefore suggested that consensus be reserved for matters of general principle while practical application could be dealt with by majority vote while still reserving the right of withdrawal.

As I have observed earlier in this essay in an anarchic society there is a heavy emphasis upon personal responsibility. One does not have access to the state among other things to provision the group. Today in the modern state an individual spends 30-40% of his working hours to support, in the form of taxes, governments which proceed to spend these funds on large military establishments, top heavy bureaucracies, ludicrous frills for state administrators, bribery and corruption. In an anarchist society one would direct his energies to participating in the management of cooperative enterprises dedicated to the maintenance of the community. Productive enterprise, whether industrial or agricultural, would be administered by those responsible for it—that is, those who produce the goods. Necessary activities

such as fire protection, road maintenance, water supply, medical attention or what have you would be matters of group responsibility. The several enterprises would be federated with other similar groups to provide regional oversight and service. Power would be retained at the local level and would be minimal at the upper confederated level.

In most of the simpler societies property as individually owned material things are generally limited to movable items. Communal ownership of land, the chief resource, is the ordinary practice. There are many anarchists who advocate communal ownership of all land, industrial capital, and natural resources which raises a serious question of how this is to be achieved. Perhaps anarchists are not adhering to their principles if they seek to expropriate all land, industry and resources by compelling on the threat of violence a minority to submit and surrender what they see as their wealth. At the same time it might be possible to achieve such a goal if the community at large were to ostracize those who did not conform. I should prefer to see an arrangement which allows for both individual and communal ownership but where no one exploits others. That is, individual ownership would therefore be limited to small businesses employing only owner operators or partners.

... There are a couple of other points ... concerning the anarchist society which should be mentioned. First, a point I have made before but deserves repetition: the ground work for any such society must be laid in the education of the youth and the radical reeducation of the mass of adults all in the direction of an emphasis upon mutual aid, cooperation, personal responsibility and techniques of peace. Given the propensities and training of most people today any large scale anarchist society would never work. Particularly important is the need to develop a devotion to non-violence for there can be nothing more socially disruptive than violence and this is especially true of anarchic polities. Secondly, at least a quasi-anarchist way of life can be pursued within the existing system. One may ignore and avoid government and the state as much as possible. One may join with others in cooperative societies for all sorts of purposes; mutual aid amongst neighbors can all be developed within the existing order. The Amish and Hutterites, for example, thrive through all their lives within a large society of outsiders and maintain their own local community managed mutual aid system which has little or no dependence on outsiders [or] the state. Perhaps, as Gustav Landauer observed, if enough people avoided the state and looked to other social relationships, the state itself might be undermined.

[Excerpted with permission of Harold Barclay, email of August 20, 2005. From *LONGING FOR ACADIA: Memoirs of an Anarcho-Cynicalist Anthropologist*, Victoria: Trafford, 2005, pp. 265-272. Call 1-888-232-444 or email orders@trafford.com for more information about this book.] ☐

Comments on Anarchy and Modern Society

By Harold Barclay

After my book, *CULTURE: THE HUMAN WAY* (1982), I prepared another which I entitled *PEOPLE WITHOUT GOVERNMENT: AN ANTHROPOLOGY OF ANARCHY*. Here I briefly described some of the numerous different societies around the world which thrive without any state or government. It was an attempt to demonstrate that anarchy was neither chaos nor an utterly utopian dream. I pointed out that in one respect—that is, the absence of government—all humans were anarchists ten thousand years ago. Anarchy has, it seems, worked in small face-to-face communities, although some ethnic groups such as the Nuer or Dinka numbering hundreds of thousands have maintained anarchic type polities. Where it really requires testing is in the context of concentrated and large populations. The book did not stress the absence of anarchy in urban, modern style societies. The only example of anarchy in a modern society is during a short period in the Spanish Civil War when anarchists did organize an urban society, but, unfortunately, it suffered under war conditions and was soon ended by the combined efforts of the Communists and Fascists. I later discussed the problem of “Anarchism and Cities” in a book, *CULTURE AND ANARCHISM*.

I would not agree with those who say that the examples of anarchy among the small scale societies that I described in *PEOPLE WITHOUT GOVERNMENT* have no relevance to modern industrially oriented and heavily populated communities. The very idea of the face-to-face interaction characteristic of small groups is directly applicable and of major importance to the functioning of large scale societies. The greatest solidarity, personal satisfaction, and

dedication to the group is maintained by the direct and equal participation in decision making regarding the substantial issues confronting any community. The Tonga of southern Africa provide yet another example. They are a matrilineal society of several hundred thousand people who were primarily gardeners. They had no centralized political system and were an anarchic society in which each individual was obligated to several different cross cutting groups, which in turn were part of a network of further obligations so that any negative action against an individual or group resulting from one set of relationships had its counter restraining effect resulting from affiliation with other groups and individuals. One's obligation to the network of groups to which he was a member acted as a device to maintain mutual aid and social control. No chiefs or police acted to impose and force “proper” behavior.

A characteristic of functioning anarchic societies is the technique for conflict resolution where the aim is primarily directed at reestablishing or maintaining group harmony rather than seeking to determine guilt and impose vengeance motivated punishment. Thus, in a conflict between groups an independent, uninvolved mediator agreed upon by both parties is

continued on page 7

“Indeed, ‘the most distinctive contribution of Africa to human history has been precisely in the civilized art of living reasonably peacefully without a state’.”

—Migdal, Kohli, and Shue (eds), *STATE POWER AND SOCIAL FORCES*, (New York: Cambridge University Press, 2000), p. 258 citing Jean-Francois Bayart, *L'ETAT EN AFRIQUE* (Paris: Fayard, 1989), p. 58.

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