
The Voluntaryist

Whole Number 151

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

4th Quarter 2011

Which Came First - The Chicken or the State?

By Carl Watner

While there may not be a satisfactory answer to the childhood riddle, "Which came first: the chicken or the egg?" there is most definitely a solution to the question, "Which came first: the State or the market?" Logically there can be no State or State apparatus without a market. Wild grains, wild animals, and trees live whether there is a State or not. Food, shelter, and clothing must be produced from natural resources by people who farm, and build, and weave. In a society where the division of labor is practiced, State agents must get their necessities from the producers. It is only after a surplus of goods and services have been produced and 'saved' up that there is any room for the survival of those who do not directly produce.

Why is this issue even being discussed?

While researching my earlier article, "K.I.S.S. A Pig! – Anarchist or Minarchist?" in No. 149 of THE VOLUNTARYIST, I found that Tibor Machan asserted that "government is logically or conceptually a pre-market institution. It [government] is required for the maintenance, elaboration and protection of the individual, including private property and rights." [1] Thus "the functioning of enterprises *presupposes* property rights." [2] In other words, "the existence of the free market ... presupposes the existence of the institution of government." [3] Dr. Machan also refers to David Kelley's article "The Necessity of Government," in which Kelley writes that anarchist logic falsely assumes "that the market would exist without government. ... We ... question the assumption that in the absence of government institutions outside and protecting the market, a free market would even exist" [4] In another article, Murray Franck takes the same position. He argues that "government is the precondition for the existence of markets," and that "one cannot produce and trade without a tax-supported government." To Franck "it is self-evident that civilized societies must have governments." [5]

This article is being written to debunk this 'myth' which we shall see is not just limited to minarchists. It is the same premise adopted by statist, such as Cass Sunstein and Stephen Holmes in their book, THE COST OF RIGHTS: Why Liberty Depends on Taxes (1999). [5A] My purpose here is to outline what other libertarians,

anarchists and anthropologists have had to say about these issues. Do we need governments to define property rights? Did property create the law or did the law create property? What does the history of primitive societies disclose? Is social order dependent upon the existence of some sort of government? Are governments and states the only method of recognizing and implementing property rights or can customary law – without government – do the job?

As a preliminary to addressing these questions, consider the remarks of Simon Roberts, a legal anthropologist. Roberts has no ax to grind as he is not a libertarian, but in his slim book, ORDER AND DISPUTE (1979), he notes that many societies have existed without legislative, adjudicative and centrally organized sanctions. "[H]ow is order secured in such societies?" In his "Introduction" he points out that early European and American scholars of 'primitive law' had difficulty in understanding how social order was maintained in less complex societies (than their own).

Small in scale and with relatively simple technologies, few of them had governmental arrangements which we would instantly recognize and a majority entirely lacked the centralized state organization with which our own most prominent control institutions are associated. ... [The accounts of these societies in Ireland, Africa, the Americas, Asia and the Pacific] showed that far from being the savage anarchies which certain political scientists had [expected] ... these societies were quite orderly and capable of holding together over time. ...

The surprise with which reports of viable stateless societies were first greeted draws attention to a [serious] problem [which is]: the strength of our native preconceptions and our difficulty in understanding arrangements which cannot be related to our own institutional forms. *It was only because of an ethnocentric assumption that order demands the help of centrally organized enforcement agencies that the cohesion of these small-scale societies was initially hard to understand.* [6]

In effect, Roberts says that the statist framework of our own Western culture makes it very difficult for anthropologists to understand how social order is maintained in non-Western societies without a State and

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The Voluntaryist

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Subscription Information

Published quarterly by The Voluntaryists, P.O. Box 275, Gramling, SC 29348. A six-issue subscription is \$25. For overseas postage, please add \$5. Single back issues are \$5. Gold and silver readily accepted. Please check the number on your mailing label to see when you should renew. THE VOLUNTARYIST is online at www.voluntaryist.com. Permission to reprint granted without special request.

Potpourri from the Editor's Desk

No. 1 - "Live As If Life and Love Are One"

In the evolution of humanity love has played a highly important role. Except, however, for rare thinkers such as Charles Sanders Peirce and Petr Kropotkin, the roles of love and cooperation in human evolution have been wholly neglected. In an unloving and alienated world wracked by strife and violence, such an idea appeared both unreal and ludicrous. There can, however, be little doubt, especially when one studies the food-gathering, hunting peoples of today and other antiviolenent and nonviolent peoples, that no early population of human beings could have survived had it not been for the dominant role that love and cooperation played in holding them together. Indeed, it is quite evident that human beings are designed, as a consequence of their long and unique evolutionary history, to grow and develop in cooperation, and that the future development of humanity lies not with increasing conflict with but increasing love, extended to all living creatures everywhere.

It is, in a very real sense, and not in the least paradoxical sense, even more necessary to *love* than it is to *live*, for without love there can be no healthy growth or development, no real life. The neotenous principle for human beings, indeed, the evolutionary imperative, is *Live as if life and love are one*.

- Ashley Montagu, *GROWING YOUNG*, 2nd Edition, 1989, p. 74.

No. 2 - "The Sovereign Individual"

You must become aware that no one may rule your life without your consent, no matter what the excuse or argument, smoke and mirrors notwithstanding. You must recognize that no one knows better than you what is best for yourself; that there is no political authority above you; that you don't have any owners, and therefore, that you don't need to pay tribute to obtain your liberty or tranquility. And when that realization comes, you will say to yourself, *I am a sovereign individual!*

... Tyranny ends when we cease to support voluntarily our own serfdom.

... [I]t is not necessary to change the world or create

a nation of sovereign individuals. What matters – and what one can do right now – is to live as a sovereign individual, staying close to those who respect you as such, and avoiding the manipulators and those who desire to live as parasites on your energy, talents, and virtues. Therefore, we may achieve freedom to a large extent during our lifetimes, independently of any eventual failure to end the serfdom perpetrated by the state. If you behave as a sovereign individual in your personal relationships, you will be contributing to your happiness and also the transmission of the concept of individual sovereignty. That chain of good, I am certain, will abolish the chains of evil.

- Heli Beltrao in *THE FREE MARKET* (May 2010), pp. 3-4.

No. 3 - "The Greatest Engine of Economic Continuity"

The free market, by decentralizing the decision-making process, by rewarding the successful predictors and eliminating (or at least restricting the economic power of) the inefficient forecasters, and by providing a whole complex of markets, including specialized markets of valuable information of many kinds, *is perhaps the greatest engine of economic continuity ever developed by men*. That continuity is its genius. It is a continuity based, ultimately, on its flexibility in pricing scarce economic resources. To destroy that flexibility is to invite disaster.

- Gary North, *THE FREEMAN* (May 1971), p. 312.

No. 4 - "Read's Law of Readiness; Chamberlain's Law of Openness"

Readiness comes from a condition of inner and outer freedom. It might be phrased as the Law of Openness. If nobody stands in the way, someone, somewhere will spring into action to satisfy a want.

- John Chamberlain, *THE FREEMAN* (August 1973), p. 508.

No. 5 - "Lies and Truths"

[M]ost of the things in which I'd been taught to believe were lies. Marriage licenses are a lie. The driver's license is a lie. Social Security is a lie, . . . The stuff we use for money is a lie. . . .

Learning the lies taught me some truths. I learned that voluntary participation equals endorsement. I learned that cooperation with authority legitimizes the authority. I learned that accepting authority as truth instead of accepting truth as authority is a big mistake. . . . I learned that fighting evil with evil guarantees that evil will win. . . . I learned that the thugs in authority don't care if people complain just so long as they obey.

- Samuel Aurelius Milam III, *FRONTIERSMAN* (June 2010).

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Jeremiah's Job

By Gary North

[This article first appeared in the March 1978 FREEMAN, pages 144-148.]

Sooner or later, those who are interested in the philosophy of liberty run across Albert J. Nock's essay, "Isaiah's Job." Taking as an example two Old Testament prophets, Isaiah and Elijah, Nock makes at least two important points. First, until society seems to be disintegrating around our ears, not many people are going to listen to a critic who comes in the name of principled action. The masses want to get all the benefits of principled action, but they also want to continue to follow their unprincipled ways. They want the fruits but not the roots of morality. Therefore, they refuse to listen to prophets. Second, Nock pointed out, the prophet Elijah was convinced that he was the last of the faithful, or what Nock calls the Remnant. Not so, God told the prophet; He had kept seven thousand others from the rot of the day.

Elijah had no idea that there were this many faithful people left. He had not seen any of them. He had heard no reports of them. Yet here was God, telling him that they were out there. Thus, Nock concludes, it does no good to count heads. The people whose heads are available for counting are not the ones you ought to be interested in. Whether or not people listen is irrelevant; the important thing is that the prophet makes the message clear and consistent. He is not to water down the truth for the sake of mass appeal.

Nock's essay helps those of us who are used to the idea that we should measure our success by the number of people we convince. We are "scalphunters," when we ought to be prophets. The prophets were not supposed to give the message out in order to win lots of public support. On the contrary, they were supposed to give the message for the sake of truth. They were to witness to a generation which would not respond to the message. The truth was therefore its own justification. Those who were supposed to hear, namely, the Remnant, would get the message, one way or the other. They were the people who counted. Lesson: the people who count can't be counted. Not by prophets, anyway.

A Sad Message

The main trouble I have with Nock's essay is that he excluded another very important prophet. That prophet was Jeremiah. He was a contemporary of Isaiah, and God gave him virtually the same message. He was told to go to the highest leaders in the land, to the average man in the street, and to everyone in between, and proclaim the

message. He was to tell them that they were in violation of basic moral law in everything they did, and that if they did not turn away from their false beliefs and wicked practices, they would see their society totally devastated. In this respect, Jeremiah's task was not fundamentally different from Isaiah's.

Nevertheless, there were some differences. Jeremiah also wrote (or dictated) a book. He was not content to preach an unpleasant message to skeptical and hostile people. He wanted to record the results of their unwillingness to listen. His thoughts are preserved in the saddest book in the Bible, the Book of Lamentations. Though he knew in advance that the masses would reject his message, he also knew that there would be great suffering in Israel because of their stiff-necked response. Furthermore, the Remnant would pay the same price in the short run. They, too, would be carried off into captivity. They, too, would lose their possessions and die in a foreign land. They would not be protected from disaster just because they happened to be decent people who were not immersed in the practices of their day. He wrote these words in response to the coming of the predicted judgment: "Mine eye runneth down with rivers of water for the destruction of the daughter of my people" (Lam. 3:48). He knew that their punishment was well deserved, yet he was also a part of them. The destruction was so great that not a glimmer of hope appears in the whole book.

What are we to conclude? That everything is hopeless? That no one will listen, ever, to the truth? That every society will eventually be ripe for judgment, and that this collapse will allow no one to escape? Is it useless, historically speaking, to serve in the Remnant? Are we forever to be ground down in the millstones of history?

One key incident in Jeremiah's life gives us the answer. It appears in the thirty-second chapter of Jeremiah, a much-neglected passage. The Babylonians (Chaldeans) have besieged Jerusalem. There was little doubt in anyone's mind that the city would fall to the invaders. God told Jeremiah that in the midst of this crisis, his cousin would approach him and make him an offer. He would offer Jeremiah the right, as a relative, to buy a particular field which was in the cousin's side of the family. Sure enough, the cousin arrived with just this offer. The cousin was "playing it smart." He was selling off a field that was about to fall into the hands of the enemy, and in exchange he would be given silver, a highly liquid, easily concealed, transportable form of capital—an international currency. Not bad for him, since all he would be giving up would be a piece of ground that the enemy

would probably take over anyway.

Long-Range Planning

What were God's instructions to Jeremiah? Buy the field. So Jeremiah took his silver, and witnesses, and balances (honest money) and they made the transaction. Then Jeremiah instructed Baruch, a scribe, to record the evidence. (It may be that Jeremiah was illiterate, as were most men of his day.) Baruch was told by Jeremiah to put the evidences of the sale into an earthen vessel for long-term storage. "For thus saith the Lord of hosts, the God of Israel; Houses and fields and vineyards shall be possessed again in this land" (32:15). God explained His purposes at the end of the chapter. Yes, the city would fall. Yes, the people would go into captivity. Yes, their sins had brought this upon them. But this is not the end of the story. "Behold, I will gather them out of all countries, whither I have driven them in mine anger, and in my fury, and in great wrath; and I will bring them again unto this place, and I will cause them to dwell safely: And they shall be my people, and I will be their God" (32:37-38). It doesn't stop there, either: "Like as I have brought all this great evil upon this people, so will I bring upon them all the good that I have promised them. And fields shall be bought in this land, whereof ye say, It is desolate without man or beast; it is given into the hand of the Chaldeans" (32:42-43).

What was God's message to Jeremiah? There is hope for the long run for those who are faithful to His message. There will eventually come a day when truth will out, when law will reign supreme, when men will buy and sell, when contracts will be honored. "Men shall buy fields for money, and subscribe evidences, and seal them, and take witnesses in the land of Benjamin, and in the places about Jerusalem, and in the cities of Judah, and in the cities of the mountains, and in the cities of the valley, and in the cities of the south: for I will cause their captivity to return, saith the Lord" (32:44). In other words, business will return because the law of God will be understood and honored.

God had told them that they would be in captivity for seventy years. It would be long enough to make certain that Jeremiah would not be coming back to claim his field. Yet there was hope nonetheless. The prophet is not to imagine that all good things will come in his own day. He is not to be a short-term optimist. He is not to conclude that his words will turn everything around, making him the hero of the hour. He is told to look at the long run, to preach in the short run, and to go about his normal business. Plan for the future. Buy and sell. Continue to speak out when times are opportune. Tell anyone who

will listen of the coming judgment, but remind them also that all is not lost forever just because everything seems to be lost today.

The Job Is to Be Honest

The prophet's job is to be honest. He must face the laws of reality. If bad principles lead to bad actions, then bad consequences will surely follow. These laws of reality cannot be underestimated. In fact, it is the prophet's task to reaffirm their validity by his message. He pulls no punches. Things are not "fairly bad" if morality is ignored or laughed at. Things are terrible, and people should understand this. Still, there is hope. Men can change their minds. The prophet knows that in "good" times, rebellious people usually don't change their minds. In fact, that most reluctant of prophets, Jonah, was so startled when the city of Nineveh repented that he pouted that the promised judgment never came, making him look like an idiot—an attitude which God reproached. But in the days of Elijah, Isaiah and Jeremiah, the pragmatists of Israel were not about to turn back to the moral laws which had provided their prosperity. It would take seven decades of captivity to bring them, or rather their children and grandchildren, back to the truth.

Invest long-term, God told Jeremiah. Invest as if all were not lost. Invest as if your message, eventually, will bear fruit. Invest in the face of despair, when everyone is running scared. Invest for the benefit of your children and grandchildren. Invest as if everything doesn't depend on the prophet, since prophets, being men, are not omniscient or omnipotent. Invest as if moral law will one day be respected. Keep plugging away, even if you yourself will never live to see the people return to their senses and return to their land. Don't minimize the extent of the destruction. Don't rejoice at the plight of your enemies. Don't despair at the fact that the Remnant is caught in the whirlpool of destruction. Shed tears if you must, but most important, keep records. Plan for the future. Never give an inch.

A prophet is no Pollyanna, no Dr. Pangloss. He faces reality. Reality is his calling in life. To tell people things are terrible when they think everything is fine, and to offer hope when they think everything is lost.

To tell the truth, whatever the cost, and not to let short-term considerations blur one's vision. The Remnant is there. The Remnant will survive. Eventually, the Remnant will become the masses, since truth will out. But until that day, for which all prophets should rejoice, despite the fact that few will see its dawning, the prophet must do his best to understand reality and present it in the most effective way he knows how. That is Jeremiah's job. ▣

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political law. He concludes “that a large burden of social control must be borne in all societies by extralegal [i.e., non-state] mechanisms.” [7] There are many societal sanctions “which have little to do with government” and “which certainly do not depend for their effectiveness upon the kind of coercive force which [the] state ... may bring to bear.” [8] Quoting another well-known anthropologist, Bronislaw Malinowski, Roberts says that these acephalous societies (ones without political leaders) manage to hold together, even though they have no “courts and constables.” [9]

If one looks at the anthropological evidence with an unprejudiced eye, it becomes clear that prehistoric man used natural resources and that property rights in those resources evolved “in the absence of a centralized state.” [10] “Property rights thus preceded the state” in such areas as “land, fishing sites, livestock and cemetery plots.” As Vernon L. Smith concludes, “Evidence for the existence of property rights and social contracting in stateless societies is incontrovertible.” [11]

The fact that property rights evolved before the State is clear. What many people do not understand, however, is how a peaceful social order can evolve in the absence of the State. How do we explain this? In his article, “Where Does Law Come From?”, Bruce Benson points out that spontaneous rules for social cooperation generate themselves. [12] Cooperation emerges naturally in a society of individuals who interact and trade with one another. Social peace can be established and preserved, the production of wealth maximized, only if those who are untrustworthy are excluded from the circle of exchange. We naturally disassociate ourselves from those who disrespect our property and from this fact social rules evolve for dealing with common criminals. It is natural for us to inform our neighbors about those who violate our property; it is natural to boycott untrustworthy individuals; and it is natural for us to help watch out and protect our neighbors. [13] Thus, the institutions of a market economy develop spontaneously, without anyone consciously designing them. [14] Robert Ellickson explains it thusly: “People who repeatedly interact can generate institutions through communication, monitoring and sanctioning. No central authority with coercive powers is necessary to produce laws or rules of interaction.” [15] Each person, acting in his or her best self-interest, will interact with others in such a manner as to benefit both parties.

The rules of behavior resulting from voluntary interaction are known as common or customary law. They are not created by any government or legislature. The common law is the peasant’s law: rules which apply to

every one regardless of their social status, wealth, or rank in society. The unenacted common law provides us with rules that facilitate peace and cooperative activities. [16] As John Hasnas in his brilliant essay, “The Obviousness of Anarchy,” points out:

There are, of course, certain rules that must apply to all people; those that provide the basic conditions that make cooperative behavior possible. Thus, rules prohibiting murder, assault, theft and other forms of coercion must be equally binding on all members of a society. But we hardly need government to ensure that this is the case. These rules always evolve first in any community; you would not even have a community if this were not the case. [17]

Hasnas and Benson use historical examples to buttress their positions. First, Hasnas points out that it is silly to say that the market cannot police itself. Historically, tax-supported municipal police forces did not come into existence until the middle of the 19th Century in England and the United States. Were societies in those countries devoid of law and order because there were no government police?

For if civil society cannot exist without a government monopoly over the use of coercion, then civil society could not exist. Societies do not spring into existence complete with government police forces. Once a group of people has figured out how to reduce the level of interpersonal violence sufficiently to live together, entities that are recognizable as governments often develop and take over the policing function. ... Both historically and logically, it is always peaceful coexistence first, government services second. If civil society is impossible without government police, then there are no civil societies. [18]

Benson, on the other hand, points to the development of medieval commercial law. The fact that it evolved, and has existed for centuries, independently of the States in which international merchants operated, “shatters the myth that governments must define and enforce ‘the rules of the game’ . . . [T]he Law Merchant developed outside the constraint of political boundaries” and political rulers. [19] Another observer of the Law Merchant describes it as a shining piece of historical evidence that cannot be misinterpreted. The Law Merchant was

the classic experiment to test what happens when states do not (because for physical reasons they cannot) impose their own organized, tax-financed order. It supports the reasonable belief that the trouble with the emergent order is not that ‘in practice’ it does not emerge, but that ... states

stop it from emerging, and intrude upon them when they do emerge. [20]

Benson concludes that “our modern reliance on governments to make law and establish order is not the historical norm.” [21] Nor is the nation-state a prerequisite for law and order. [22] Neither is the state a biological necessity. Men and women have survived and sometimes even flourished outside its purview and power. It is true that people must have rules to live by, but it is not true that these rules must be provided by and enforced by the government. To argue as Dr. Machan and others have that government is a precondition of the market is to miss the mark. Human beings require food, shelter and clothing in order to survive and trade with one another. However, it does not follow that the only way to provide food, shelter and clothing is for the government to produce them. The market place requires voluntary cooperation, “but cooperation does not always require government.” [23]

These issues are certainly not new to libertarians, and there are records of them being debated as far back as the 17th Century. During the English Civil War, a group of proto-libertarians discussed the new proposals surrounding the “Agreement of the People.” Known as the Putney Debates, they took place near London between October 28 and November 11, 1647. It was here that Henry Ireton, Oliver Cromwell’s chief spokesman and son-in-law, claimed that the Levellers would destroy all property. The Levellers “confidently appealed to the law of nature to demonstrate that the right to property is guaranteed by the law of nature, and not, as Ireton maintained, merely by positive government laws.” Clarke, one of the Leveller debaters, argued that the law of nature forms the basis of all constitutions.

Yet really properties are the foundation of constitutions, and not constitutions of property. For if so be there were no constitutions, yet the Law of Nature does give a principle for every man to have a property of what he has, or may have, which is not another man’s. This natural right of property is the ground of [mine and thine]. [24]

Some three decades later, Richard Baxter, an English clergyman, reiterated the same point in his *SECOND PART OF THE NONCONFORMIST’S PLEA FOR PEACE*: “Propriety [property] is naturally antecedent to government . . . Every man is born with propriety in his own members and nature gives him a propriety in . . . [the] just acquisitions of his industry.” [25] Clark and Baxter, and even a theorist as significant as John Locke, could not have suspected that these ideas would furnish the foundation of 19th and 20th Century free market anarchism.

As Murray Rothbard never tired of pointing out, the twin axioms of self-ownership and homesteading provide a way to establish property titles without the State. [26]

Every legitimate property owner and every peaceful person in society helps maintain customary law and order by their exercise of self-control (not violating other people’s bodies or property). The spontaneous, free interaction among peaceful people is the only true form of law and order that is possible. Political governments can only produce “political” law. As John Hasnas explains in his “The Myth of the Rule of Law,” coercive governments purposely associate “law” with “order” as a way to deliberately obfuscate the fact that a voluntary social order can be had without the presence of a political government. [27] As John Blundell and Colin Robinson write in *REGULATION WITHOUT THE STATE* (2000), “Rules are an essential part of life. But making them is not necessarily a [political] government function: they can be (and usually are) established through voluntary action.” [28] The so-called law and order fashioned by political governments is not really true law or true order because it is not based on the voluntary interaction and the voluntary consent of the participants. Furthermore, whatever legitimate contribution political governments make to the voluntary social order could be provided in a far less costly and far more moral manner by private defense agencies and voluntary organizations. Political government need not provide us with food, shelter, clothing or the rules by which to live. Political government, because it depends on taxation for its survival, must exempt itself from the rules it promulgates for the rest of us. In so doing, it negates property rights (which it is supposed to protect) and rents asunder the peaceful fabric of society.

End Notes

[1] Tibor Machan, “Anarchists and Minarchists: Allies After All?” in his *LIBERTARIANISM DEFENDED*, Aldershot: Ashgate Publishing, 2006, p. 155.

[2] *ibid.*, p. 156.

[3] Tibor Machan, *HUMAN RIGHTS AND HUMAN LIBERTIES*, Chicago: Nelson Hall, 1975, p. 158.

Admittedly, trade does require the recognition of property rights. Each trader must have a proper title to the goods being exchanged and each trader must recognize the other’s title as legitimate and valid. However, the State is not necessary to the creation or recognition of property titles. Thanks to Wendy McElroy for this point.

[4] David Kelley, “The Necessity of Government,” *THE FREEMAN*, April 1974. Quote is in the seventh paragraph of the article.

[5] See Larry J. Sechrest, “Rand, Anarchy, and Taxes,” *I THE JOURNAL OF AYN RAND STUDIES*, Fall 1999, pp. 87-105, at pp. 99, 100, and 101. The quoted comments are either from Sechrest, or Sechrest quoting from Murray Franck, “The state, the market and the morality of taxation,” *XI FULL CONTEXT*, September/October 1998, pp. 14-16.

[5A] See Carl Watner, “Why Voluntarism and Liberty Don’t Depend on Taxes or Government,” *THE VOLUNTARYIST*, Whole No. 134, 3rd Quarter 2007, pp. 1, 3-4.

[6] Simon Roberts, *ORDER AND DISPUTE*, New York: St. Martin's Press, 1979, pp. 11-13, emphasis added. These societies were sometimes difficult to conquer, as in the case of the English attempting to subdue the Irish. Since there was no central government to capture, the English had to subjugate a multitude of clans. Thanks to Wendy McElroy for this point.

[7] *ibid.*, p. 12.

[8] *ibid.*, p. 115.

[9] *ibid.*, p. 190.

[10] Vernon L. Smith, "Humankind in Prehistory: Economy, Ecology, and Institutions," in Terry Anderson and Randy T. Simmons (eds.), *THE POLITICAL ECONOMY OF CUSTOMS AND CULTURE*, Lanham: Rowman & Littlefield Publishers, Inc., 1993, pp. 157-182 at p. 158.

[11] *ibid.*, p. 170.

[12] Bruce L. Benson, "Where Does Law Come From?" *THE FREEMAN*, December 1997, pp. 725-730.

[13] For more detailed development of these ideas, see Bruce L. Benson, "Economic Freedom and the Evolution of Law," *18 CATO JOURNAL*, Fall 1998, pp. 209-232, at p. 214.

[14] See *ibid.*, p. 225.

[15] *op. cit.*, Benson, "Where Does Law Come From?", p. 726.

[16] John Hasnas, "The Obviousness of Anarchy," in Roderick T. Long and Tibor R. Machan (eds.), *ANARCHISM/MINARCHISM: Is a Government Part of a Free Country?*, Aldershot: Ashgate Publishing, 2008, pp. 111-131 at p. 116.

[17] *ibid.*, p. 117.

[18] *ibid.*, p. 122.

[19] Bruce L. Benson, *THE ENTERPRISE OF LAW: JUSTICE WITHOUT THE STATE*, San Francisco: The Pacific Research Institute for Public Policy, 1990, p. 30.

[20] Anthony De Jasay, "The Cart Before the Horse," in Christoph Frei and Robert Nef (eds.), *CONTENDING WITH HAYEK*, Bern: Peter Lang, 1994, pp. 49-64 at p. 60.

[21] Benson, *op. cit.*, p. 20.

[22] *ibid.*, p. 11.


[23] *ibid.*, p. 274.

[24] A. S. P. Woodhouse (ed.), *PURITANISM AND LIBERTY*, Chicago: University of Chicago Press, 1951, p. 75 of The Putney Debates. Cited in Carl Watner, "'Oh, Ye Are for Anarchy!': Consent Theory in the Radical Libertarian Tradition," *VIII THE JOURNAL OF LIBERTARIAN STUDIES*, Winter 1986, pp. 111-137 at p. 117.

[25] Watner, *ibid.*, p. 133.

[26] To cite but one example, see the discussion of "Property Rights" in Murray Rothbard, *FOR A NEW LIBERTY*, New York: Collier Books, 1978, pp. 26-37 at pp. 30-31.

[27] John Hasnas, "The Myth of the Rule of Law," 1995 *WISCONSIN LAW REVIEW* (1995), pp. 199-233, and reprinted in *THE VOLUNTARYIST*, Whole No. 97 (April 1999) and Whole No. 98 (June 1999).

[28] John Blundell and Colin Robinson, *REGULATION WITHOUT THE STATE*, London: Institute of Economic Affairs, 1999, p. 13. 

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No. 6 - "Crime In America"

It is up to those who believe in private property and individual liberty to set an example for others by living what they preach. Each of us must root out from his own behavior those actions which run counter to voluntary trade among men. We must forswear any attempt to force others to our will. And, if we succeed with applying consistent principles of morality to our own lives, then perhaps others will be inspired to do likewise. Crime will decrease only to the extent that individuals begin to accept the principles of the free society where each man lives his life as he wishes, trades voluntarily with whom he pleases and respects the right of other men to do the same. - David Walter in *THE FREEMAN*, September 1971, p. 549.

Book Received

THE ART OF NOT BEING GOVERNED: An Anarchist History of Upland Southeast Asia by James C. Scott (New Haven: Yale University Press, 2009). This is a dense book by the author of *SEEING LIKE A STATE: How Certain Schemes to Improve the Human Condition Have Failed* (1998). The hill people of Southeast Asia, in an eight nation area he labels Zomia, have, for two thousand years, "been fleeing the oppressions of state-making projects in the valleys - slavery, conscription, taxes, corvee labor, epidemics, and warfare. ... Virtually everything about these people's livelihoods, social organization, ideologies, and even ... their largely oral cultures, can be read as strategic positionings designed to keep the state at arm's length." (ix-x) Taking the long view, Scott sees mankind's history (until quite recently) best described as four eras: "1) a stateless era (by far the longest), 2) an era of small-scale states encircled by vast and easily reached stateless peripheries, 3) a period in which such peripheries are shrunken and beleaguered by the expansion of state power and, finally, 4) an era in which virtually the entire globe is 'administered space' and the periphery is not much more than a folkloric remnant." (324) The people of these peripheries have often been called uncivilized barbarians. Scott says that it is an incorrect label. They are simply not-state-subjects, not-citizens, because they value their freedom and customs more highly than sedentary life among state-subjects. For more information see www.yalebooks.com, ISBN: 978-0-300-15228-9.

Can The Whole World Be Wrong and We Be Right?

By Carl Watner

In an interesting commentary titled "Communism for Conservatives," Gary North points out "that virtually the whole world" (meaning every national government) has adopted and practices at least 30% of the Communist Manifesto of 1848. See <http://www.lewrockwell.com/north/north882/html>.

Specifically he refers to the following planks of the Manifesto:

2. A heavy or progressive or graduated income tax.
5. Centralization of credit by means of a national bank.
10. Free education for all children in public schools.

As North writes:

Every nation has a graduated income tax. . . .

Central banks are all officially state banks. . . .

Tax-funded educational systems are universal.


Who else besides those calling themselves voluntaryists rejects these points on principle? As we see it:

All taxation (whether it is graduated or not) is theft.

Central banking, the monopolization of credit, and legal tender laws all violate the natural right of individuals to choose what they shall use for money.

Public schools should be rejected because

they rely on taxation for funding and are owned and operated by the government.

Can the whole world be wrong and we be right? Yes. As Solzhenitsyn said, "One word of truth outweighs the world!" 

HOMESCHOOLING: A HOPE FOR AMERICA

Edited by Carl Watner

Foreword by John Taylor Gatto

This anthology argues against government education in a unique way. One who advocates voluntarism opposes government schools, not because he opposes schooling but, because he opposes coercion, which is to be found in government taxation, compulsory attendance laws, and in the monopolization of public services. Most of us would agree that there should not be any state religion; that religion should not be supported by taxation; and that people should not be compelled to attend religious services. Why shouldn't the principles of voluntarism in religion apply to education?

Soft cover, 247 pages, \$ 20 postpaid. Send silver, gold, cash, check or money order to The Voluntaryists, Box 275, Gramling, SC 29348. See <http://voluntaryist.com/homeschooling/php>.

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