
The Voluntaryist

Whole Number 132

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

1st Quarter 2007

What Is Secession?

By Donald W. Livingston

Talk about secession makes Americans nervous. For many it evokes images of the Civil War, and is emotionally (if not logically) tied to slavery, war, and anarchy. That the word "secession" is laden with these negative connotations should be surprising since America was born in an act of secession. The Declaration of Independence is a secession document justifying an act whereby "one people...dissolve the Political Bands which have connected them with another." George Washington, John Adams, and Thomas Jefferson were secessionists. Americans should be the last people in the world embarrassed by the thought of secession. To understand both why secession is at the heart of the American political tradition and why Americans are nervous about it, we need to review the strange history of the idea.

The first thing to appreciate is that the meaning of the term "secession," as it is understood today, is no older than the late 19th century, and was forged in America. If I should stop someone on the street and ask whether he thinks secession is ever justified, the person might not have a ready answer, but he would know what I was asking. He would have an image of a people withdrawing from one political jurisdiction in order to form one of their own. For us the term "secession" has uniquely *political* connotations. But it was not always so.

The term derives from the Latin *secedere*, meaning merely an act of withdrawal, which is what "secession" meant until the 19th century. One could speak of the soul seceding from the body, or of seceding to the drawing room, or of seceding from the town to the country. To ask someone in 1760 whether he thinks secession is ever justified would be to draw a blank look. It would be like asking whether withdrawal is ever justified. When did "secession" cease to be a neutral term of withdrawal and become the name of a substantial political act?

Intimations of a change occurred in 1733 when the Scottish Church split. Those who left called themselves "seceders," and their church the "Secession Church." This church lasted nearly a century before splitting, but was soon reunited in 1829 under the paradoxical name of the "United Secession Church." Here the term "secession" means not simply withdrawal but a religious-political act whereby a people dismember a religious jurisdiction to form one of their own. It also means the celebration and remembrance of that act by naming the new way of life the "Seces-

sion Church." For the first time the term acquires substantial moral connotations. To be a seceder is a good thing. Though not strictly political, this religious-political connotation was familiar to an American Protestant culture for over a century, before it began to take on political connotations. *The Oxford English Dictionary* locates the first political use of the term in a statement by Thomas Jefferson in 1825 that [the] colonies had seceded from the British Union.

But there were earlier uses. Indeed, throughout the entire antebellum period, and in every section of the federation, prominent American leaders considered withdrawal of their state or states from the federation as a policy option. The section that most often considered withdrawing was New England: in 1803 over the Louisiana Purchase, in 1808 over the embargo of British trade, in 1814 over the war with Britain, in 1843 over the annexation of Texas, and in 1847 over the Mexican War. No sooner was the Constitution ratified by the states than debate began about the viability of the federation and the legal and moral conditions a state would have to satisfy to withdraw from the federation. For seventy years this discourse was hammered out and given considerable theoretical refinement. The result was the transformation of the term "secession" to refer to a substantial political act about which one could be for or against.

This discourse about secession was uniquely American. From the mid-17th century on, European political speech had been mainly the language of centralization and unification; of building larger and larger centralized states, and even empires. This disposition to centralize did not diminish with the overthrow of monarchy, but increased dramatically with the emergence of mass democracy. The French Revolution sought to establish individual liberty through a massive centralization of power which ruled out competing jurisdictions. The American Revolution, by contrast, sought to promote individual liberty through a polycentric order of competing jurisdictions where secession was a policy option of last resort. Prior to the Civil War, "secession" in America described a political act, conceived of in a morally neutral way: secession might be a good or bad thing depending on the circumstances. After the war, it would acquire exclusively negative connotations. How are we to understand this change?

Although it is morally flattering to think the war was fought to emancipate slaves, the reason actually given by Lincoln and political and military lead-

continued on page 5

The Voluntaryist

Editor: Carl Watner

Subscription Information

Published quarterly by The Voluntaryists, P.O. Box 275, Gramling, SC 29348. A six-issue subscription is \$20 or .07 ounce of fine gold. For overseas postage, please add \$5 or 1/3 of the regular subscription price. Single back issues are \$4 each or 1/5 of the regular subscription price. Please check the number on your mailing label to see when you should renew. THE VOLUNTARYIST is online at www.voluntaryist.com.

St. Francis and His Revolution

By Robert Ludlow and James Meyer

[Editor's Note: The following article was adapted from Robert Ludlow's "St. Francis and His Revolution," which appeared as an editorial in THE CATHOLIC WORKER (January 1953, and reprinted in Thomas Cornell and James Forest [eds.], A PENNY A COPY, New York: The Macmillan Company, 1968, pp. 150-154) and James Meyer, SOCIAL IDEALS OF ST. FRANCIS, St. Louis: B. Herder Book Co., 1938. Numbers in brackets refer to pages in the Meyer book.]

Those who place their hopes in political means ... might do well to pause in this busy world of ours and think somewhat on St. Francis of Assisi and the method of St. Francis. "St. Francis," states Father James Meyer, "effected his revolution on an entirely different field. To effect the change he did not kill a single human being, he sequestered not a single man's property, closed up not one man's business, inaugurated no new banking policy, initiated not a single repressive measure, wrote not a single law into the codes of the day," ... St. Francis, who eschewed violence and politics, was more instrumental in effecting the downfall of an undesirable social system, than any politicians of his day, or any committees, or any organized group of dissidents. [27] Says Father Meyer, "Francis struck at the iniquity of it - especially with two provisions of the rule of the Third Order. One was the provision that the Tertiaries must not bear arms, the other was that Tertiaries must bind themselves with no oath, except where duly constituted authority rightfully required it." [37] And it must be remembered that literally thousands of lay people joined the Third Order, so much so that the feudal lords were besides themselves with wrath and appealed to Rome to stop this madness. This madness [...] deprived them of serfs because the Third Order members refused to bear arms or take oaths of fealty to the lords. ...

Of St. Francis, Father Meyer adds: "Coercion ... of another person against the latter's convictions was as repugnant to him as sin. Violence had no appeal to him, not even against the Saracen or bandit. Simi-

larly, whatever amounted to compulsion, such as reducing his neighbor to a plight where self-preservation demanded his surrender to terms, was odious to him" [33] He was similarly opposed to repressive measures "because when you use violent repressive measures, you challenge secret resentment; what the victims cannot do in public they do in secret." [25]

St. Francis realized that reform cannot be a mass produced affair. [10] What did he do? How did he come to head a movement?

By dint of minding his own business! [27]

His first and consuming thought was of doing the thing that should be done by himself - not getting the other fellow to do it, much less of making the other fellow do it against his will. [28]

That is the lesson of the life of St. Francis. That is the nub of the Franciscan way of life. [30] It consists in knowing to the full our responsibilities and carrying them out regardless of cost to ourselves and regardless of what anybody else may do. [43] Thus we end these pages where we began them - with the stress on individual effort. [112]

[Editor's Addendum: The method of St. Francis surfaced as the Three Point Program in 1936: "The Tertiary resolves (1) To commit no sin of heart or hand for the sake of goods of fortune. (2) To observe moderation in acquiring and enjoying all goods of fortune. (3) To share his goods of fortune with God and neighbor -" [12] It is highly reminiscent of Albert Jay Nock's patient and quiet way of changing society: The only thing that can be done to improve society is "to present society with one improved unit. In a word, ages of experience testify that the only way society can be improved is by the individualist method ...; that is, the method of each one doing his very best to improve one." Or as Voltaire put it in CANDIDE: "Cultivate your own garden." See Albert Jay Nock, MEMOIRS OF A SUPERFLUOUS MAN, New York: Harper Brothers, 1943, Chapter XVI, Section 1, page 307.] ▽

"Not External Enforcement But Internal Self-Control"

"Most of us refrain from committing murder, rape, or theft not because we fear imprisonment or the electric chair, but because our 'built-in' legal and moral convictions powerfully inhibit such actions, rejecting them as disgusting, criminal, or sinful. If our social order depended solely upon the police and external coercive enforcement, there would be perpetual disorder. To repeat: the enforcement of law by coercive means, when it contradicts the inherent legal convictions of the people, has never been able to prevent bloody conflict and establish lasting peace."

—Pitrim A. Sorokin, THE RECONSTRUCTION OF HUMANITY (Boston: The Beacon Press, 1948), pp. 45-46.

Questions Voluntaryists Should Ask About Literature

By Don Stacy
Introduction

Loosely construed, “literary criticism is the reasoned consideration of literary works” and the issues raised by authors in their written works.¹ Charles E. Bressler, in *LITERARY CRITICISM: AN INTRODUCTION TO THEORY AND PRACTICE*, depicted literary criticism as “a disciplined activity that attempts to describe, study, analyze, justify, interpret, and evaluate a work of art.”²

The judgment of a literary critic is determined by the literary theory (or theories) the critic promulgates. A literary theory is a system that frames “one’s understanding and interpretation of language and the construction of meaning, art, culture, aesthetics, and ideological positions.”³ Many literary theories examine literature via perspectives (ideologies) external to the text. Examples of such literary theories are psychoanalytic criticism, feminism, Marxism, cultural poetics, and cultural studies.

I believe voluntaryists should pursue their own brand of literary criticism. Unfortunately, minimal voluntaryist literary criticism exists. Why? The primary reason is the recognition that voluntaryism:

... is not primarily a literary theory that can be used to interpret a text. Unlike other schools of criticism, it is first a set of social, economic, and political ideas that its followers believe will enable them to interpret and ... change their world.⁴

Furthermore, until this time there has been a lack of theoretical and practical voluntaryist frameworks for analyzing literary texts.

Should voluntaryists engage in literary criticism? Yes. Why - because voluntaryists can use literary criticism as a non-political educational tool “to achieve a free society.”⁵

The following questions constitute a template for voluntaryist analysis of a text. It is patterned after a similar template advocated by the literary critic Ira Shor in 1974.⁶

- Is voluntaryism rejected? Is coercion promoted?
- Are the characters menaced by a coercive authority (or State)? Are the characters aware of the nature of the coercive authority (or State)? If so, how does this knowledge influence the characters’ ideologies?
- Is violence accepted as a resistance strategy? Are non-political strategies, such as persuasion, education, civil disobedience, and nonviolent resistance, trivialized or even considered?

- Is the voluntaryist insight - that oppression requires the consent of the oppressed - explored?
- Is the concept of the abolition of coercion addressed?
- Does the text and actions of the characters assume that the ends justify the means? Or do the characters embrace the Gandhian assertion that “if one takes care of the means, the end will take care of itself”?

A Brief Example

To illustrate voluntaryist literary criticism I shall analyze *THE TREES AND THE AX*, a fable by the Greek storyteller, Aesop.

A woodsman went into the forest and petitioned the trees to provide him a handle for his ax. It seemed so modest a request that the principal trees granted it right away, and they declared that the plain homely ash should furnish what he needed. No sooner had the woodsman fitted the staff for his purpose, however, than he began chopping down the noblest trees in the woods. By the time the oak grasped the entire matter, it was too late, and he whispered to a neighboring cedar, “With our first concession we lost everything. If we had not sacrificed our humble neighbor, we might still be able to stand for ages.”

*When the rich surrender the rights of the poor, they provide a handle to be used against their own privileges.*⁷

The first step in voluntaryist literary criticism would be the reconstruction of the tale in the anti-state, pro-market, anti-violence radical libertarian tradition. *THE TREES AND THE AX* is a story about masters (the principal trees) ordering the murder of a slave (the plain homely ash). The murderer (the woodsman) uses the slave’s corpse to assist in the assassination of the masters. One master (the oak) recognizes that the deaths of the masters are the consequence of their crime against the slave.

The next step in voluntaryist literary criticism would be to analyze the text’s relevance to voluntaryist concerns. Applying the template questions to the fable will suffice for this brief example.

- Template question #1: The fable promotes coercion. The concluding moral neither questions nor condemns the right of the principal trees to sacrifice the ash for what they perceive as their benefit. The murder of the slave is considered a modest request by the principal trees. In addition, the concluding moral does not question the right of the woodsman to kill the slave.
- Template question #2: The plain homely ash is menaced by two coercive authorities - the principal trees and the woodsman. It is unknown if the ash is aware of the nature of the principal trees; the woodsman is clearly aware of the nature of the principal trees. The

woodsman's knowledge of the nature of the principal trees has no impact on his ideology, however, for he undergoes no moral transformation in the story.

- Template question #3: Resistance is not depicted in the fable. Neither the ash nor the noblest trees defend themselves against the woodsman. Submission rules the forest.

- Template question #4: The fable illustrates the voluntarist insight. The slave-the ash-consents to oppression (via the principal trees and the woodsman) and death (via the woodsman). The oak complains, but takes no action, when the woodsman redirects his violence against the principal tree

- Template question #5: Unfortunately, the abolition of coercion is not hypothesized in the text. Indeed, the right of all parties to arbitrarily enslave and murder one another is never questioned.

- Template question #6: The fable ignores Gandhian ethics for utilitarian ethics. The assumption of the ends as the only consideration is inherent in the behavior of the woodsman and the principal trees. The ash, however, does not act or think - he merely submits (the definition of the slave ethic).

Summary

The fable is anti-voluntarist. On the one hand, Aesop valued co-operation and justice; but on the other, he valued coercive authority and power. He did not recognize the contradictions in his thinking; nor did he conceive of a situation where there would be neither masters nor slaves - a voluntarist social order. So although Aesop did not intend to pen an anti-voluntarist fable - he just did not know any better. ▽

¹ See "Literary Criticism" in "Literature, The Art of," in Vol. 23 THE NEW ENCYCLOPEDIA BRITANNICA (Chicago: The University of Chicago, 1992), p. 194.

² Charles E. Bressler, LITERARY CRITICISM: AN INTRODUCTION TO THEORY AND PRACTICE Upper Saddle River: Simon and Schuster, 1999, p. 4.

³ *ibid.*, p. 6.

⁴ *ibid.*, p. 218.

⁵ Carl Watner, "Voluntarist Resistance," in THE VOLUNTARIST, Whole No. 125, 2nd Quarter 2005.

⁶ Ira Shor, "Questions Marxists Ask About Literature," 34 COLLEGE ENGLISH (1974), pp. 178-179.

⁷ Aesop, AESOP'S FABLES, Selected and Adapted by Jack Zipes, New York: Penguin Group, 1992.

"We must never fail to remember that it is upon an improvement in the moral tone of the people that true social progress depends, that, therefore, our means as our ends must be pure."

—Gertrude B. Kelly, "Passive Resistance," in THE ALARM Vol. I, No. 18, July 14, 1888, p. 1.

Don't Get Caught in Anyone's Net

By Peter Ragnar

I live in a very secluded place, so you can imagine my surprise when I saw 50 armed men descending upon my partially-constructed home. They were combing the forest for a fugitive who was thought to be hiding close by.

William and his son, Roy, were helping me frame my house at that time. William knew he was a lawbreaker (though I didn't at the time). He had already served time in a federal penitentiary because of his craft. With guns drawn, the men surrounded the house. As I said, mine is the only house around with thousands of acres of wilderness behind it.

"Where's William?" I anxiously whispered to Roy.

"Oh, Dad will be just fine; he can't be caught anymore."

"Who are you? What are you doing here? Seen any strangers? Anything suspicious? Anybody here we don't see?" The questions flew like bullets. I started to ask who gave them permission to trespass, but realized from their frozen expressions that they might not think it funny. I kept my mouth shut, so nothing bad would slip out.

The leader of the dragnet asked me again, "Is there anyone here we don't see?"

I replied, "If you don't see anyone, how could they be here?"

The search moved on past the house into the forest, where William had fled. His son, Roy, and I stood and stared in amazement as the backs of 50 men disappeared into the underbrush. If William was guilty of anything, it was earning a living by his craft. He didn't have a license for what he did, but he was good at it. He didn't pay taxes on what he earned, so he kept the rewards of his skill. Then, William's head popped out of a deep pile of leaves. He smiled from ear to ear as he adjusted his old hat. Roy said, "Dad ain't never gonna let himself get caught in anyone's net again!"

Some time later, we sat on a log in a hidden cove. William lit a match, and a pure blue streak of almost invisible flame raced across the top of the log. He smiled with pride. "That's how you can tell good corn whiskey from the rotgut commercial stuff!"

Even though this dragnet took place over twenty years ago, I see it taking place every day in a different form. At any given point in time, you might become a—ah, let us say a "civilian detainee." Why? Because you're a lawbreaker, of course!

There are so many ways that the government can trap, catch, and tangle us up in its web: from saying a few four-letter words in the presence of a policeman (which might get you arrested - which is why I kept my mouth shut that time), to violating any of the hundreds of thousands of laws that "govern" us,

to getting caught in the I.R.S.'s tax snare, to driving without a license. If you're an enterprising, motivated individual and have your own business, there are 75,000 pages of laws, hoops, and traps to deal with.

They even make it a crime not to register your children's births (and probably very soon, it will be a crime not to have them assigned a social security number). You see, they have a mesh to catch you right out of the womb. Then they give you a twelve year sentence in public schools! When you are released on graduation day, does anyone ever ask you to sign on to all the laws you are supposed to abide by? I know I never had the option to sign or decline. Where did I ever promise to obey the laws they pass? I certainly don't consider myself honorably or legally bound to comply with government demands - like asking permission to drive, marry, operate a business, travel, hunt, fish, get restricted medicines, and do 10,000 other things. It is not only degrading, insulting, and humiliating for intelligent men and women to be treated as children, but also morally corrupt for some men and women to place themselves above others and treat those others as slaves.

Like well-conditioned dogs who expect to be zapped by their electronic collars when they cross the line, the American public will not seek freedom. When people have been conditioned to be afraid to reason and think for themselves, encouraging them to do what is right, even though contrary to government law, may invoke their anger. Generally, if you were to attempt to get members of the public to evade or avoid the law, they would be apt to report you to the authorities. Sadly, we accept irrational laws like obedient dogs when we could instead accept and pursue our own freedoms. We have been surrounded by thousands of silly and unenforceable laws - yet, people still fear thinking and acting for themselves! Government counts on our unquestioned obedience for its existence. There are seldom enough policeman to enforce the law. We voluntarily submit to our own slavery, when in fact we could simply resist and walk on.

Maybe the spirit is a bit different in Alaska? About a year ago, a friend of mine told me about an Alaskan state law requiring everyone to drive with their lights on. The majority of the states' population refused and ignored it. Soon the courts were clogged with violators. The wheels of local governments ground to a stop, police refused to stop violators and as suddenly as the silly law was enacted, it was rescinded. What really happened was that the human animals knew the fence was down and the net had a big hole in it.

As children we start our lives in a society with a government. Our culture is a culture of force. We are taught to follow our leaders, pay our taxes, go to government schools. The groundwork for the government's net is set for the unwary: both children and parents. We are all collectively dipped into the

red ink of political and social propaganda. Today we must wash that dye from our skin. You must not participate in such irrationality. (Start teaching your children as much as you can - at home!) You must learn the lesson, and your children likewise, that you were born free and should live free! Then there will arise millions of armies of one: individuals who will act on the dictates of reason, live peacefully, and who will refuse to comply with tyranny - individuals who will not be caught in anyone's net.

Question the veracity of everything any government agent says. Be skeptical of claims that "only the government can do it." If it's worth doing, it's needful to have everybody's voluntary consent and voluntary participation. With government education in place, with government protecting us from "ourselves" and from "foreign" enemies, the snare has been set. Don't assume anything; don't let the government's belief system and propaganda take root in your mind. Seek reason, seek truth, seek freedom. "Be as cunning as the serpent and as innocent as the dove." Be wise and shrewd enough to not get caught in the net! ▣

What Is Secession?

continued from page 1

ers was that secession had to be defeated in order to preserve *the central government's authority*, which increasingly became identified with a new thing called the "nation." Previously the central government had been viewed as a service agency of the federation, whose main tasks were to treat with foreign countries, establish free trade among the states, and provide for their defense. The United States were regularly referred to in the plural. After the war the United States would be referred to in the singular.

Lincoln explained his reasons for invasion in a letter to Horace Greeley on August 22, 1862: "My paramount object in this struggle is to save the Union, and is *not* either to save or to destroy slavery." General Grant (a slave holder who refused to free his slaves after the war until forced to do so by the 13th Amendment) had said that if the war was about emancipation, he would take his sword to the other side. But why was it so important to establish a territorial monopoly on coercion in Washington? Was not the continent large enough for two federations, or even more? Lincoln's answer was given in his First Inaugural: "Plainly, the central idea of secession, is the essence of anarchy." Why? Because, he said, if a part of the Union is allowed to secede, that part itself can be divided, and a part of that part, and so on which would mean the unraveling of *government as such*.

In his speeches, Lincoln presented the war as a world historic struggle between the forces of republican government and the forces of anarchy. Most northern leaders who supported the war concurred.

But many Northerners opposed the war. The Founding Jeffersonian tradition was still alive, and at least a third of the North was against the war, and another third was indifferent. To give just one example: Horace Greeley, editor of the Republican *New York Tribune*, declared on February 23, 1861, after a Confederacy of seven states had been formed: "We have repeatedly said that the great principle embodied by Jefferson in the Declaration of Independence, that governments derive their powers from the consent of the governed, is sound and just; and that if the cotton States, or the gulf States only, choose to form an independent nation, they have a clear moral right to do so. Whenever it shall be clear that the great body of Southern people have become conclusively alienated from the Union, and anxious to escape from it, we will do our best to forward their views."

"If you don't stand for something, then you fall for anything."

— Malcolm X

The war to suppress secession was largely the work of Lincoln and the Republican Party (the founding party of state capitalism), which is why unconstitutional measures were necessary, such as destroying and arresting the editors of some 300 opposition newspapers and suspending the writ of habeas corpus for the duration of the war in the North, which netted around 20,000 political prisoners. Lincoln even wrote an order for the arrest of the Chief Justice of the Supreme Court, who had ruled against suspending the writ of habeas corpus. Mussolini, in his most vigorous years, in a larger country, and with a more efficient police system, rounded up only 12,000 political prisoners.

Although Lincoln's argument that secession *means* anarchy is incompatible with the American Founding, it fitted nicely with European thinking and practice, which for over two centuries had been building centralized states with territorial monopolies on coercion. The American polycentric order which allowed competing jurisdictions among sovereignties was viewed as antiquated and even as medieval. Nothing short of a violent revolution would be needed. With the triumph of the "Indivisible Union," it appeared to many Europeans that America had finally become a modern state. The editor of London's *Spectator* wrote triumphantly on December 22, 1866, that "The American Revolution marches fast towards its goal—the change of a Federal Commonwealth into a Democratic Republic, one and indivisible."

The Civil War was the bloodiest war of the 19th century. Europeans were shocked, and the lesson many drew from it was that *secession necessarily leads to war* and must be prevented at all cost. This threat was especially real in 19th-century Europe, where monarchies were being challenged in favor of republicanism and nationalism, and where everyone was talking about self-government and liberty. James

Bryce, in his magisterial *The American Commonwealth* (1888), argued that secession caused the Civil War. Secession was possible because Americans had a defective constitution that did not centralize political authority. The argument of Lincoln, Bryce, and European elites (though there were notable European exceptions, including Goethe, Proudhon, and Lord Acton) that political power must be centralized, and competing jurisdictions eliminated, was uppermost in the minds of the founders of the Australian Constitution (1900) and the Canadian constitution, called The British North America Act (1867). Both constitutions go out of their way to make clear that the federal units of the respective regimes are artificial creatures of the central authority and devoid of sovereignty. In this way they hoped to prevent an American-type war to suppress secession in Australia or Canada.

To sum up. By the mid-nineteenth century, Americans, in debates over the meaning of the states' moral and legal relation to the Union, had transformed the meaning of the term "secession" from any act of withdrawal to a substantial political act. In the meantime, the modern European state, which was being imported around the world, was becoming more insistent on the need to suppress competing jurisdictions and make explicit its territorial monopoly on coercion. The American Civil War (caused, it was thought, by secession) was a wakeup call to this increasingly global European state system. And so it was that the political meaning given to "secession" by Americans in the antebellum period became the global meaning. And given the ubiquity of the unitary state system, this meaning was necessarily a *negative* one. Until the late 20th century, centralization and unification—however violently pursued—were generally thought to be good things; secession and division—however peacefully pursued—bad things.

But after a century of global wars of unprecedented destruction and intensity, along with totalitarian revolutions in which modern states killed more of their own people than were killed in both world wars, the mystique of centralization no longer has the authority it had in the early 19th century. After the peaceful secession of fifteen Soviet republics and other successful secessions, the term "secession" is beginning to acquire the morally neutral meanings it had in American prior to the Civil War. But this means that the modern unitary state, which has dominated political thought and existence for three and a half centuries, is beginning to lose its legitimacy.

The classical theory of the modern state is to be found in Thomas Hobbes, *Leviathan* (1651). Hobbes argued that the innate tendency of mankind is centrifugal and violent. Without an artificial corporation having a monopoly on coercion in a territory, there can be no long-term peace and stability. Seces-

sion, in this theory, is logically ruled out, and it is easy to see why. The secession of a group within the state could be justified only as the aggregate right of the individuals making up the group. But if that aggregate could secede, so could any other, down to one individual, and that would contradict the very idea of the state.

Most modern theorists follow Hobbes in thinking of political society as *artificial* and held together by coercion. The classical statement of the counter tradition is that of Aristotle, who taught that political society is *natural* and occurs spontaneously, as does the family, society, and natural languages. Neither of these requires an all-powerful artificial corporation to maintain its existence. The enforcement mechanisms are internal to the practices themselves. Just what the bonds are that hold a political society together must be a topic for another day, but that such bonds exist should be obvious from the following examples, which refute Lincoln's claim—itsself a Hobbesian theorem—that “secession is the essence of anarchy.”

When the American colonies seceded from Britain they did not disintegrate into the endless secessions Lincoln feared. Kentucky would later secede from Virginia, Tennessee from North Carolina, Maine from Massachusetts, without further fragmentation. Norway seceded from Sweden (1905); Belgium from Holland (1830); Singapore from the Malaysian Federation (1965); and the vast Soviet Union peacefully dissolved in 1990. In none of these cases did Lincolnian or Hobbesian anarchy occur in the seceding units.

“Don't dismiss a good idea simply because you don't like the source.”

— H. Jackson Brown, Jr.

The Hobbesian picture is also static. Once a regime is established it remains indivisible. But on the Aristotelian view, political societies naturally emerge in the world. Consequently, over time, a new political society might emerge within a larger one, demanding recognition, and even the right to secede. What are the criteria for recognizing when these conditions have been satisfied? I am afraid there is little philosophers can say about this; anymore than they can provide criteria to know when two people should marry or when two people should divorce. All such judgments require what Aristotle called practical wisdom and a connoisseur's understanding of the people involved and the circumstances. But at least we can rule out the Hobbesian doctrine that secession should *never occur*, in favor of the Aristotelian doctrine that it is a contingent good to be determined by an act of practical wisdom. And perhaps we can go further and say that if a new political society has emerged that wishes to govern itself and is capable of doing so, and if secession imposes no serious injustice on the remaining polity, then the presump-

tion must be on behalf of secession.

The case for secession is even more compelling in a federal system such as the United States, Canada, or the European Union, where the federative units are already recognized as political societies, with a functioning legislature, executive, judiciary, and other institutions needed to be an independent state.

The Hobbesian modern state is ubiquitous, and in its three-century-long career has transformed the meanings of political words, hiding from view or delegitimizing other political possibilities. Nowhere is this clearer than in its perverse understanding of secession. The Hobbesian state demands a territorial monopoly on coercion in order to eliminate revolution and civil war within the border of the state. It defines secession as revolution or civil war, but this is fundamentally wrong. Revolution in modern political discourse has two meanings. One derives from John Locke; the other from the French Revolution, which I shall call Jacobin revolution. The purpose of Lockean revolution is to overthrow a government that has violated its fiduciary trust and perhaps to alter the structure of government. Jacobin revolution is much more than that. It is an attempt to reconstruct the entire social and political order. Both forms of revolution are acts that occur within a modern unitary state. And the same is true of civil war. The paradigm of civil war is the English Civil War in the 17th century, which was a battle between two factions seeking control of the central government. But secession is neither revolution nor civil war.

Secession is not Lockean revolution. It does not seek to overthrow or alter the government of a modern state, but seeks merely to limit its jurisdiction over the seceding territory. Nor is secession Jacobin revolution. It is not an attempt to entirely transform the social and political order of a modern state. Seceders typically have no interest in changing the social and political order of the region from which they wish to withdraw. Nor is secession civil war. The seceding part of a polity is not engaged in a battle with the remaining part to control the central government of a modern state; it seeks merely to free itself from the jurisdiction of that government.

From these considerations it follows that there was no American Revolution, but a war of secession. And there was no American Civil War, but a war to suppress secession. Failure to make these distinctions means that “secession” is governed by the logic of the Hobbesian modern state and always appears as either revolution or civil war and, consequently, as a form of violence to be legitimately suppressed. By calling secession revolution and the battle against it a civil war, the public (already conditioned to think in Hobbesian categories) will fail to see that the arguments that could justify suppressing revolution, in either Lockean or Jacobin form, do not and cannot apply to the quite different act of secession. Lincoln's justification for invading the Southern States was

based on just this confusion of secession with revolution, which has ever since been an essential part of American historiography and even of American identity. Merely to recognize 1776 and 1861 as acts of secession rather than revolution or civil war would effect a revolution in the writing of American history and in American political self-understanding. Both of these landmark events are hostages of Hobbesian categories.

But the Hobbesian state no longer has the legitimacy it once had. The claim that the state is indivisible is not a truth about the nature of political order as such, but an artifact of the 17th century, like farthingales, stockings, and the indestructible atom. The American Union never was and is not now indivisible. I mentioned the great constitutional efforts in the 19th century to prohibit secession by the Australian and Canadian Founders. Yet in 1931 Western Australia voted to secede. Quebec came close to voting for secession in 1995, and the Supreme Court of Canada recently ruled that a Canadian province has a right to secede.

Canada and the United States illustrate the impotence of the Hobbesian doctrine of indivisibility as well as the hubris of constitution-making. Canada began as a Hobbesian state which ruled out secession, but has evolved into a polity where the secession of a province is an acknowledged policy option. The United States began as a federation of sovereign states with the central government being little more than a service agency for the states, and where secession was entertained in every section as a policy option. Astonishingly, it has since evolved into a

Hobbesian state said to be one and indivisible.

Secession is a dialectical concept that cannot be understood without its opposite—the modern unitary state. The modern state cannot tolerate competing jurisdictions and demands a territorial monopoly on coercion; consequently, it absolutely rules out secession. As long as allegiance to the modern state was strong and people were confident of its worth (not only as an instrument but as an ideal), secession was a thoroughly negative concept. As the Hobbesian state and its ideology flourishes, so secession recedes in legitimacy. But as the state recedes in legitimacy, so secession flourishes. Since the end of the Cold War, we have entered a new period in which secession has again acquired the morally neutral connotations it had in its primordial appearance in antebellum America.

That public corporation known as the United States has simply grown too large for the purposes of self-government, in the same way that a committee of 300 people would be too large for the purposes of a committee. There needs to be a public debate on the out-of-scale character of the regime and what can be done about it. This is the historic and noble task of the Second Vermont Republic. The long suppressed American idea of secession, as a public policy option, is returning to the United States as it came to the Soviet Union, Canada, Yugoslavia, Czechoslovakia, and other monsters created by a more than three-century-old policy of crushing hundreds of smaller polities into larger and larger monopolies of coercion. ▣

[This article first appeared in VERMONT COMMONS, November 2005. See www.vtcommons.org.]

The Voluntaryist

P.O. Box 275 • Gramling, South Carolina 29348



FIRST CLASS

Please renew your subscription if the number on your address label is within one digit of this issue's number.