

## Impossibility of anarcho-capitalism

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**K**arl Popper's work illuminates the usefulness of mistaken theories, and libertarians of various kinds can freely acknowledge the contributions to social, economic, legal and political knowledge made by writers who describe themselves as anarcho-capitalist.

The questions raised by these writers often provoke an intellectual effort which sharpens our understanding in many ways. It may be that the Utopian inspiration of a Rothbard or a Childs owes much to their surrender to the anarchic temptation, and one would not wish to deprive them of their mainspring if this were to lead to a diminution of their scholarship. However, their work too often damages the prospects for the very liberties they claim to be working for, and thoughtful libertarians needs must pause before vesting further eggs in the notional anarchist basket.

Anarcho-capitalism is most fully opened to our inspection by unbundling it. Its components are:-

1. A belief that a fully-fledged free-market private property based social order can be realised and maintained without the existence of a single, finally arbitrary system of lawmaking and enforcement which asserts jurisdiction over non-consenting parties.
2. A preference for the imagined advantages of that social order however conceived.
3. A willingness to advocate attempts to instantiate it as an actual experiment in the more or less foreseeable future.

To avoid for the moment the obvious problems of demarcating and maintaining boundaries between a stateless society and potentially invasive statist neighbours, I propose to imagine a stateless, populated island in an otherwise unpopulated world. A further simplifying assumption is that the island is populated by anarchists. This assumption conceals the rainbow complexity

of anarchist differences. Each anarchist may (and in my experience does) have quite different ideas of which actions are permissible and punishable and why this should be so. (To say that someone is entitled to do whatever they like within the boundaries of their own property is to evade the very issues in question: why should the boundaries be recognised, and why should the entitlement to act implicitly exclude another's acts which would circumscribe or impinge upon the first proposed entitlement? Our island anarchists somehow agree upon the notion that each is the sovereign of a micro-kingdom within which he enjoys unlimited powers. The problem then comes to resemble the present situation of relations between nation-states, with propertyless persons in the place of kings without kingdoms. We now have a great number of micro-states, and our "anarchists" are obviously statists of the usual kind, albeit writ small. They assert their powers of subjugation or expulsion over anyone they find within their territory. We can foresee at least two problems with this state of affairs. Firstly, that anarcho-capitalists are in practice bound to seek out and adopt initial conventions of property delineation upon which all agree, so that our island must be populated by only those anarcho-capitalists who accede to a single theory of acquisition of real estate, and jurisdiction therein (but then, there would of course be no political problems anyway, if everyone agreed on identical solutions). Secondly, we are back to square one anyway, trying to predict how nation-states might (or might not) negotiate travel, trade and conflict-resolution arrangements. Thirdly, if present states are viewed as land-holding companies, it is hard to see what quarrel anarcho-capitalists can have with their governments' actions, except to desire to abrogate the underlying extant land titles for their own (and perhaps others') benefit, a song they can sing in the company of socialists, anarchist and otherwise. And that song can be sung forever, as long as anyone perceives a benefit in singing it.

We can now proceed to the issue of boundary protection. Our anarchist micro-states ponder how best to preserve their sovereignty. Each is aware that, in the final analysis, only force will accomplish this, and each is vulnerable before a combination of aggressors. Each, to assure some prospect of survival, can either

amalgamate with others, or pay a protection agency to do the job. Space will not permit me to list all the proposed and possible variants of anarchist legal theory; my own conclusion is that probably, after a protracted civil war, a dominant protection agency (or coalition of agencies) would emerge whose powers of enforcement reflected a complex mix of customer preference and spending capacity, limited by the costs of excessive activity and (perhaps) moral scruples.

The interesting question then becomes. what "laws" would be enforced and what factors would govern the system's administration? One transition should be obvious; since the dominant force has subjugated opposition, to cease to deal with it for one's protection is to become an outlaw, and it may occur to its owners and controllers that they can thus compel its "customers" to pay its tariffs. Indeed, providing they keep their demands within tolerable limits they can proceed to tax all and sundry. Further, they can, subject to avoiding irrepressible revolt, enforce whatever rules of social conduct they happen to like.

In short, the outcome of anarcho-capitalist preferences will in all probability be a state, shorn of its "democratic" aspect, an unintended consequence indeed. Doubtless, intending anarcho-capitalists would meet in little secret groups to remember the good old days long gone, when a man could stand sovereign on his own piece of land. Libertarians would also be meeting, to carry on the work of devising restraints on immoral, lethal, unjust and economically wasteful state action. They would, it must be hoped, be rather more sceptical of the mirage of anarcho-capitalism, and they would be helped in this by their state's ceaseless promulgation of anarcho-capitalist ideology as the guiding light of the Founding Fathers, as well as by the sniping attacks of hard-line reactionary anarcho-capitalists.

A possible counter-argument advanced by some anarcho-capitalists is that free-market courts will offer ranges of alternative laws which will, via customer selection, somehow converge to a uniformity which reflects majority preference (anarcho-democracy?) These uniform laws would then be enforced against non-consenters. Since markets *are*

exchanges of rights in respect of actions and property, what is being put forward here is a truly remarkable proposition: that the transfers of unspecifiable rights delineated by unknowable laws subject to transient majoritarian influences will in practice constitute a social order which can be confidently recommended in advance as a libertarian cornucopia.

Yet this ultra-spontaneous order weighed down by the majoritarian incubus cannot be described in advance, and is thus beyond criticism. If one substitutes 'political parties' for 'courts' the system looks more familiar - yet anarcho-capitalists see as clearly as anyone that democracy can produce any social system at all.

One can only be struck by the similarities between "socialism" and "anarchism". Partisans of every kind rush to show that their vision is uniquely realisable; and the visions cover the entire range of mutually contradictory systems and practices.

The outcomes of Utopian experiments in reconstructing human life according to synoptically-deluded imaginary social systems are sufficiently horrible to instil a healthy aversion to further attempts. When these are proposed on a global basis, one must seriously question their proponents' claims to intellectual rigour. I do not doubt their sincerity; their competing claims to omniscience and precognition simply defy rationality, and offer us the sad spectacle of brilliant minds unrestrained by an awareness of the elementary truth of human ignorance. I offer them an old German proverb: "We should be careful in what we wish for; we may actually get it".

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