



formulations

Autumn 1997 A Publication of the Free Nation Foundation Vol. V, No. 1

New Countries and the Case For Keeping One's Cards Close to One's Chest

by Spencer Heath MacCallum

An acquaintance of mine in the technical field has been working for the past twenty years to develop a product that has the potential of revolutionizing the field of energy distribution. He tells me an important lesson he learned the hard way: *Keep a low profile*. There are lots of vested interests out there, he says, who talk a good line about changing with the times but who privately want nothing more than to keep things as they are. I suspect that this is especially true of those enjoying political privileges, and most large companies these days do. My friend recommends to anyone developing something out of the ordinary, that they read *The Incredible Bread Machine*¹ and take it to heart. Invariably, he says, talking about what you are doing will make you enemies, and they'll stab you in the back. My friend is no idle theoretician. He's a successful businessman who knows the real world and deals with it every day.

With respect to establishing a "new country" along libertarian lines, something that my friend would like to see happen, he warns that "nothing is to be gained by publicizing it with a view to bringing in a crowd. *The crowd won't understand.*"

Another extremely successful businessman and long-time friend who took an early and active role in the new country movement recently told me: "Fifteen years or so ago I learned by experience that a low profile is by far the wisest course. Publicity gains us nothing."

Reflecting on these friends' hard-earned wisdom prompted me to write the

(Continued on page 3)

Foundation News Notes

- Roderick Long was recognized with a new title, Founding Scholar, at a regular meeting of the Board of Directors, on 30 July 1997. Apart from this action, by unanimous vote, discussion was informal during the Board meeting, which was held at supertime at Oliver's. The meeting, to which all Directors, Members and Friends received written invitations, was attended by five Directors, three Members and one spouse. Dr. Long served as Editor of *Formulations* during FNF's first four years.

(Concluded on page 43)

Forum on 18 October 1997 International Relations

Spencer MacCallum will join us at our next Forum. It will meet on Saturday, 18 October 1997, from 9 AM till 5 PM, at Oliver's Restaurant in Hillsborough, N.C. The topic will be International Relations. Six speakers, including Spencer, will present papers.

You may pay (\$20 general admission or \$16 for FNF Members) at the door. But if you plan to attend you might let Rich Hammer know ahead of time, and he will reward you with a computer-printed nametag.

You could let him know by: sending a check to pre register; calling 919-732-8366; or emailing roh@visionet.org.

During the day we will break for lunch. Note that the Forum admission fee does not include lunch, but you may of course buy lunch at Oliver's.

The six papers which will be presented at the Forum appear in this issue of *Formulations*. These are: "New Countries and the Case For Keeping One's Cards Close to One's Chest," by Spencer MacCallum; "Entangling Alliances: For and Against," by Roderick Long; "The Role of Non-Governmental Actors In Shaping and Implementing Foreign Policy in a 'Free Nation,'" by Gordon Diem; "A Paper Tiger for a Free Nation," by Roy Halliday; "International Relations for Free Nations," by Phil Jacobson; "Ideas on Foreign Relations for a Free Nation," by Richard Hammer.

Oliver's Restaurant is on South Church St., about 0.5 mile north from Interstate 85, exit 164.△

Inside

Entangling Alliances by Roderick Long	4
Foreign Relations by Richard Hammer	10
Aggression a Luxury by Mary Ruwart	14
International Relations By Phil Jacobson	17
Natural Government by Jack Coxe	20
Non-Governmental Actors in Foreign Policy by Gordon Diem.....	26
A Paper Tiger for a Free Nation by Roy Halliday	28
Food Wars Originate States by Phil Jacobson.....	33
A "Nation" Is Born by Richard Hammer	44

— and more —

formulations

a publication of the
Free Nation Foundation
[outdated street address]
Hillsborough NC 27278
<http://www.freenation.org/fnf>

Statement of Purpose

The purpose of the Free Nation Foundation is to advance the day when coercive institutions of government can be replaced by voluntary institutions of civil mutual consent, by developing clear and believable descriptions of those voluntary institutions, and by building a community of people who share confidence in these descriptions.

Board of Directors

Richard O. Hammer, President
Roderick T. Long, Founding Scholar
Bobby Yates Emory, Secretary
Philip E. Jacobson, Editor of Web Publications
Candice I. Copas
Christopher H. Spruyt

FNF is a 501(c)(3) federal income tax exempt organization.

Send correspondence to the postal address above. Or email to: roh@visionet.org.

Formulations is published quarterly, on the first of March, June, September, and December.

Subscription or Membership

Subscriptions to *Formulations* may be purchased for \$15 for four issues (one year). Membership in the Free Nation Foundation may be purchased for \$30 per year. (Members receive: a subscription to *Formulations*, invitation to attend regular meetings of the Board of Directors, copies of the Annual Report and Bylaws, more inclusion in the process.)

Send orders to the postal address above. Checks should be made payable to the Free Nation Foundation. Additional contributions are welcome.

Information for Authors

We seek columns, articles, and art within the range of our work plan. We also welcome letters to the editor which contribute to our debate and process of self-education.

Our work plan is to work within the community of people who already think of themselves as libertarian, to develop clear and believable descriptions of the critical institutions (such as those that provide security, both domestic and national) with which we libertarians would propose to replace the coercive institutions of government.

As a first priority we seek formulations on the nature of these institutions. These formulations could well be historical accounts of institutions that served in earlier societies, or accounts of present institutions now serving in other societies.

As a second priority we seek material of general interest to libertarians, subject to this caveat: We are not complaining, we are building. We do not seek criticism of existing political institutions or persons unless the author uses that criticism to enlighten formulation of an improved institution.

Submissions will be considered for publication if received by the first of the month preceding the month of publication. So our deadlines are: February 1, May 1, August 1, and November 1. All submissions are subject to editing.

We consider material in *Formulations* to be the property of its author. If you want your material copyrighted, tell us. Then we will print it with a copyright notice. Otherwise our default policy will apply: that the material may be reproduced freely with credit.

JOINT PUBLICATION ARRANGEMENT

Formulations sometimes carries articles obtained through Marc Joffe of the New Country Foundation. These articles are distinguished by the line "for the New Country Foundation" under the author's name. Marc Joffe may be contacted at: joffe@aptech.net, or c/o The New Country Foundation, P.O. Box 7603, FDR Station, New York, NY 10150.

The web site <http://freenation.org> maintained by Marc Joffe carries Free Nation Foundation documents, along with numerous other new country documents and pointers.

New Countries

(Continued from page 1)

following lines for this issue of *Formulations*.

Protective Coloration in the Birth of a Nation

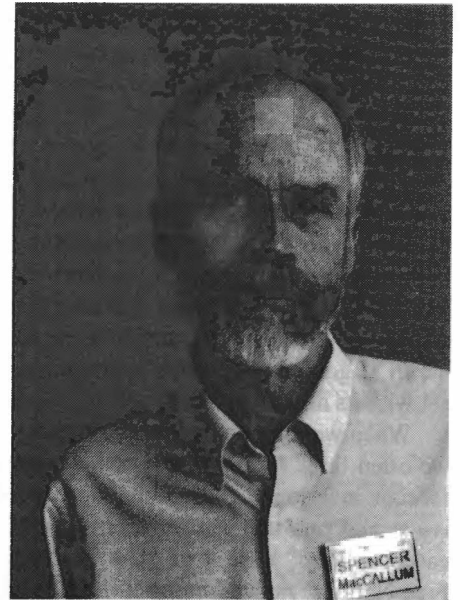
By the time the first free nation to survive infancy becomes operative, I suspect the political governments of the world will clearly be on their way out—and the presence of a free nation will accelerate their exit. The first free nation will become so prosperous by comparison with the political nations of the world that any threat posed by the latter will be short-lived. Spencer Heath once quipped that "Health is more catching than disease." That is patently true, because if it were not, none of us would be here today. By the same token, once a healthy society gains a foothold in any part of the world, it will not be long before its health will spread to all parts of the globe.

The only reason this has not happened before now, I believe, is that the necessary supportive social institutions—insurance, finance, communications, money, global markets and pricing system to mention a few—were not in place. Spontaneous social order has to evolve—and is evolving. The market was not always capable of handling the

functions we traditionally assign to coercive institutions. But in view of the acceleration of market processes we have been caught up in since the end of the 18th century, and, most dramatically, in the last fifty years, if the spontaneous order of the marketplace has not yet reached the point of performing those functions itself, it must be very close to it.

The first years of a free nation, like the infancy of any living thing, will be its most vulnerable. What will be its natural enemies? The very idea of a free nation, which would present a living demonstration that the mystique of the state is hollow, will be so threatening to the self-styled "leadership" of the world that the latter will find ready excuses to try to stamp it out (if not quietly sabotage it) to "save the world from anarchy." If you think the world's governments are collapsing and will pose little threat, you may have forgotten that a wounded and dying viper can be the most dangerous. From the perspective of the world's "leaders," the idea of a truly free society will represent not health but a dangerous virus unleashed on the world, and most will be altogether sincere in their belief.

The strategy, therefore, of any who might be contemplating midwifing the first free nation should be one of protective coloration. Let it be looked upon as nothing but a business enclave, perhaps,



Spencer MacCallum

or one more among many variants of a free-trade zone. Compose no national anthem, claim no sovereignty, assemble no uniformed border guards, fly no flag, use no bureaucratic language, establish no ministries of this or of that. Let the enclave be under the nominal jurisdiction, perhaps, of a recognized country; once it has become ten times as wealthy as the "mother country," sovereignty as an issue will evaporate. Have no foreign relations with the governments of the world. Instead, let there be only the usual activities of a chamber of commerce recruiting private firms and individuals worldwide for trade, investment or immigration. Avoid anti-state rhetoric that might be inflammatory and become seized upon as an excuse for "intervention" by the powers of the world. Follow Benjamin Franklin's sage advice to "avoid foreign entanglements."

Look upon the politicians of the world not as wrong headed, but as quietly irrelevant. Dismantle and put aside, if you can, within your own sphere, the libertarian "war against the state." Like the so-called "wars" against poverty or drugs or anything else, it is subject to the "law of reverse effects." At the very least, it is a distraction and a costly diversion of energies that could be more constructively and gainfully employed. Tend to the baby until it can fend for itself; the all-important goal is that it survive its infancy.

(Concluded on page 25)

announcement

Book Study Group

How Do Transactions Costs Affect Formation of Organizations?

by Richard Hammer

This autumn FNF's book-reading-and-discussion group will study *Institutions, Institutional Change and Economic Performance*, by Douglass C. North, Cambridge University Press, 1990.

Government, by which I mean the state, happens. Then it grows. It grows with such regularity, as grass grows, that I suspect operation of as-yet-unknown-to-me laws of nature. I hope to understand more, and invite anyone who wants to study this book to join in our discussions of it.

We will meet on three Monday evenings, September 22, October 6 and October 27, in my living room (111 West Corbin St., Hillsborough, N.C.). In each of the three meetings, which will begin at 7:30 PM, we will discuss one of the book's three parts.

During early summer we worked through, *Bionomics: Economy as Ecosystem*, by Michael Rothschild, in five meetings, hosted by Earnest Johnson in Carrboro, N.C. Attendance at these book-discussion meetings has ranged, during the past year, from three to five.△

Entangling Alliances: For and Against

by Roderick T. Long

Yogic Flying in a World of Gravity

When the first libertarian nation is born, some time in the 21st century, it will most likely be a small and singular enterprise, an island of freedom in an ocean of government. How will it interact with its neighbors?

When we ask ourselves this question, we often think first in terms of resisting foreign invasion. This is an important issue, and one that I have discussed in earlier articles. (See, e.g., "Defending a Free Nation," *Formulations* Vol. II, No. 2 (Winter 1994-95).) But there is, thankfully, more to international relations than war, and libertarians need to think about what sort of *peaceful* interactions the government of a free nation would engage in vis-a-vis other nations.

And I assume that a fledgling free nation (call it Sukhavati) would indeed need a government—not so much for domestic law enforcement, for which a competitive market in security provision might well be adequate, but in order to turn a governmental face toward the outside world and thus gain the kind of legitimacy in world opinion that could help to forestall the threat of invasion in the first place. (Or at least, those regions of the free nation that are adjacent to other states will need to have a government; this does not rule out the possibility of a sheltered anarchist region somewhere within the free nation's territory. See my "One Nation, Two Systems: The Doughnut Model," *Formulations* Vol. III, No. 4 (Summer 1996).) As readers of *The Lord of the Rings* may recall, the way to hide among goblins without being roasted alive is to disguise oneself as a goblin.

But even if the need for a government is acknowledged, some libertarians may question why that government should need to interact much with other governments. After all, they may say, the government's purpose is to protect the rights of Sukhavati's citizens, not to engage in international meddling.

True enough. But this core task of rights protection might nevertheless in-

volve a higher involvement in international relations than is often recognized. The first libertarian country will probably be small and weak; it will not be able to afford to go it alone, but will need to cultivate friendly relations with other countries. Yet on the other hand, it will need to take care to avoid being caught up in the kinds of "entangling alliances" that could ultimately undermine its citizens' freedom.

life in such a way as to avoid being touched or damaged by it. This tricky feat of political levitation is precisely what is required of Sukhavati's government.

Borders

Sukhavati, as I'm envisioning it, would be a nation-state with sovereignty over a clearly-defined territory. In other words, it would have borders. And un-



Roderick Long

The ancient Taoist philosopher Zhuang-zi (also spelled Chuang-tzu), in Book 4 of the *Inner Chapters*, records an (imaginary) conversation between Confucius and his favorite disciple Yan Hui. Yan Hui expresses his intention to become a political advisor to a local prince. Confucius (Zhuang-zi's mouthpiece) tries to discourage Yan Hui, warning him that those who get involved with rulers tend to get themselves either corrupted or killed: "The Tao [the natural path of freedom] doesn't like to have alien things mixed in with it!" But when he sees that Yan Hui cannot be dissuaded, Confucius reluctantly agrees to help Yan Hui succeed in his political career, and offers him the following advice: "It is easy to refrain from walking; the difficult thing is to walk without touching the ground." By "refraining from walking" Zhuang-zi means withdrawing from political life, while by "walking without touching the ground" he means engaging in political

less Sukhavati is an island, these borders will also be the borders of neighboring countries. Now in most countries, the passage of people and goods across borders is tightly regulated by the government. This would not be the case in Sukhavati (though of course Sukhavati's neighbors would probably choose to continue such regulation). But what would the border look like?

There are three possibilities (some combination of which is also possible). First, the strip of land adjacent to the border might be owned by the government. Most libertarians will resist this idea, but there could conceivably be military benefits to it, if border patrols were needed to protect Sukhavati from hostile incursions. (By hostile incursions I mean not peaceful job-seeking immigrants, who would naturally be welcome, but invading armies.) And such government ownership could be legitimate if the land became government property by sale,

gift, or homesteading. But this solution also poses dangers; do we really want the government to be in a position to control access to the border by owning all the adjacent territory?

The second possibility is that land along the border might be privately owned. In that case, access to the border would be controlled by individual owners, and any patrolling would have to be done by them (or at least with their permission). This could pose a security problem, since an adjacent hostile power (call it the People's Republic of Naraka) could simply buy up portions of borderland and move its troops across a purely theoretical border. (In such a case, the new Narakan owners would obviously not consent to patrolling by the Sukhavati government.)

The third possibility is that the land might be public property in the *non-governmental* sense of public property outlined in my article "In Defense of Public Space" (*Formulations*, Vol. III, No. 3 (Spring 1996)). Such property would be open to the public at large, i.e., to anyone whose use did not interfere with a similar use by others, and thus could be policed and patrolled by any peaceful armed force, public or private, without need for prior permission. (What constitutes a legitimate use would be settled by common-law litigation.) The land could become public through a grant to the public by its owners. This possibility, by allowing universal access, avoids the dangers of monopoly control posed by the government-ownership possibility, while also avoiding the difficulties of patrolling inherent in the private-ownership possibility. However, the difficulty of getting all the relevant territory into the hands of either the government or the public by voluntary means may tell in favor of the private-ownership system after all. But a fourth possibility is a mixed system, with some borderlands private, some public, and some governmental.

Another issue that needs to be considered is that of infrastructure that crosses borders: roads, railways, phone and internet connections, etc. In neighboring countries like the People's Republic of Naraka, government is probably heavily involved in the provision of such services. How would this affect their hookup with the corresponding services

in Sukhavati? In the case of roads and trains, perhaps an agreement could be worked out between the Narakan government and private road-building or railway companies within Sukhavati; the Sukhavati government might not need to get involved. This could be another reason for preferring the mixed system for borderlands to the public-property system; if connecting roads or railways are built on private land within Sukhavati, their legality is secure, whereas building infrastructure on public property would be open to challenge in court.

There may be areas of transportation and commerce in which neighboring countries might *like* to deal with a governmental transportation service within Sukhavati, but this is not necessary. For example, consider the Eurail system within Europe, where a train ticket bought in one European country will entitle its bearer to ride the trains of any other country that is part of the Eurail agreement. Suppose the countries surrounding Sukhavati have a similar system. If Sukhavati were an ordinary (i.e., statist) country, then the government rail systems of these other countries would call up the Sukhavati Department of Transportation and negotiate an agreement; but if there is no such department, all is not lost; for they can simply negotiate with individual rail companies in Sukhavati directly. (Presumably, the Sukhavati business community would find it in their interest to fund a Chamber of Commerce that could help put foreign governments in touch with domestic providers.)

Phone and internet services might seem more complicated, since these need to be coordinated into a single uniform system in order to be effective. But we should not conclude that such services are "natural monopolies" where competition is inappropriate; on the contrary, I have no doubt that market incentives are sufficient to inspire successful coordination among private service providers. After all, there are different providers of credit cards and ATM machines all over the world, but all the cards fit into the same size slots, without any law mandating that they do so.

Consider the analogous case of mail delivery. Suppose someone in the People's Republic of Naraka writes a letter addressed to someone in neighboring

Sukhavati. The writer drops his letter into a public mailbox, thus activating an international mail system based on mutual recognition and agreement (American stamps will get mail to Turkey, Turkish stamps will get mail to America). My question is not about cost; the Sukhavati mail service can always deliver mail from Naraka with postage due. My question is rather this: once this Narakan letter arrives at the border, what agency within Sukhavati is authorized to pick up the letter and deliver it to the addressee? There will naturally be competition in mail delivery within Sukhavati; but does that mean that just anyone calling himself a mailman can pick up the incoming mail and do who knows what with it? Or does the Sukhavati government have to step in and authorize certain mail services as "official"?

I don't think so. Presumably the Narakan government will want to send its mail on to "legitimate" delivery services only, and the addressees will probably want the same. So couldn't these private companies compete for a contract with the Narakan mail service? I see no reason for the Sukhavati government to get involved at all.

Airline service poses still less of a problem, since planes can fly over borderlands rather than through them. The one difficulty that might arise is that foreign countries might demand certain security procedures from Sukhavati's airports before they let their own planes land there; but in that case, I would expect market incentives to supply such airports. Indeed, there might be two classes of airports in Sukhavati, a high-security variety catering to those who desire such security, and a low-security variety, catering to those who are willing to bear extra risk for the sake of convenience or privacy.

A related question is that of passports; here, though, I do see a need for government involvement. Sukhavati will obviously have open borders, and will not require passports of those entering the country; but most other countries, including those bordering Sukhavati, will continue to make passports a condition of entry (at least until libertarianism sweeps the world, at which point the concerns of this article will be moot anyway). So the residents of Sukhavati, if

they hold no citizenship elsewhere, may have to have a Sukhavati passport in order to leave the country. This is one government function that private enterprise cannot take over, because other nations will not take seriously any passport that is not issued by a government.

So the Sukhavati government should go into the business of granting passports. But this poses a potential danger: the power to give suggests the power to withhold. A government that can make its citizens prisoners by arbitrarily withholding passports (or charging prohibitively high fees for them) is something no libertarian country can afford to put up with. One solution is to make the right to a passport (at nominal cost) a matter of constitutional law; the only danger is that the People's Republic of Naraka might not take Sukhavati passports seriously if they know that everyone is guaranteed a passport. But if that problem arises, one way around it might be to have different grades of passport, with the lowest grade available to everyone, and the higher grades available to those who meet whatever criteria the Narakan government has in mind. A more attractive solution is to make visits from wealthy Sukhavati tourists such a boon to the Narakan economy that Naraka's government will be forced to bite its tongue and accept Sukhavati's rubber-stamp passports, assuming that Sukhavati residents have any interest in visiting the squalid concrete wasteland of Naraka anyway. (This may be the appropriate place to reveal that Sukhavati and Naraka are the Buddhist heaven and hell, respectively.)

Other security questions exist. Suppose the People's Republic of Naraka complains that Sukhavati's lax security procedures and open border policy make it a safe haven for drug dealers, terrorists, and money launderers using Sukhavati territory as a secure base for illegal operations in Naraka. How should Sukhavati respond?

In the worst-case scenario, Sukhavati might have to impose stricter regulations on its own citizens in order to forestall a Narakan invasion. (I have argued elsewhere ("Analysis of the Constitution of Oceania," in *Forum Proceedings: Constitutions* (Autumn 1993)) that restricting, within certain limits, activities that invite invasion by foreign powers may be

justifiable (though never desirable) on libertarian principles.) But perhaps Naraka can be bought off (if Sukhavati is economically strong enough) or simply defied (if Sukhavati is militarily strong enough).

International Agreements

Sukhavati cannot afford to be too politically isolated; I would expect it to have embassies and diplomatic delegations in countries all over the world, to defend its interests both by negotiating with foreign governments and by publicizing its case so as to win over popular opinion (as well as trying to obtain official diplomatic recognition from as many countries as possible). Indeed, the principal task of Sukhavati's foreign policy would be to shine a bright light of publicity on Sukhavati itself in order to make it very difficult for the international community to concoct an excuse to invade.

Also, while Sukhavati cannot afford to assume the military risk of undertaking to defend its citizens anywhere they may go in the world, it might fall under its charter to offer consulate services for Sukhavati citizens in foreign countries who run into passport problems and the like (or, alternatively, such services could be an "extra," available to citizens for a fee, like insurance).

But what kinds of diplomatic relationships should Sukhavati enter into? Should it sign international treaties of any kind? Certainly it shouldn't seek such entanglements out, but in some cases they may be unavoidable. For example, it might be necessary, at least in the short run, before Sukhavati has built up sufficient military clout, to buy off its aggressive neighbor Naraka, paying it not to invade. This agreement might take the face-saving form of a mutual non-aggression treaty, conjoined with an agreement on Sukhavati's part to provide Naraka with economic aid. (Such a treaty could always be renegotiated once Sukhavati's position grew stronger. On a more cheerful note, Sukhavati could also offer economic aid to third-world countries in a thinly-veiled trade for diplomatic recognition.)

A more perplexing issue is that of arms-control treaties, test-ban agreements, and the like. It might be in the interest of the Sukhavati government to forswear the use of certain kinds of arma-

ment in exchange for verifiable assurances of the same by other countries. But the Sukhavati government would have no authority to hold its private citizenry to the same terms, so its treaties might not be taken very seriously. (I'm not talking about the most destructive kinds of weapons, which the Sukhavati government would probably have to ban anyway, not only for itself but for its citizens, in order to prevent a major-power invasion.) In any case, any treaty negotiated by the Sukhavati government should be subject to ratification by popular referendum.

What about applying for United Nations membership (assuming there'd be any hope of acceptance in the first place)? On the one hand, recognition by the U.N. would give Sukhavati legitimacy in the eyes of the world, making it clear that the free nation is not a lawless territory in desperate need of a foreign invasion to "restore order." (Nations like Switzerland and Taiwan manage without U.N. membership, of course; but Switzerland is more firmly established in world opinion as a legitimate nation than Sukhavati would be, and Taiwan's position right now is pretty precarious. I would be delighted to see a country like the United States or Canada pull out of the U.N., but then, those countries can afford to.) But on the other hand, U.N. membership carries strings with it; various agreements and covenants by which a free nation could not in good conscience abide (of course, other nations don't abide by them either, but that's small comfort), as well as the increasing threat of U.N. encroachments on national sovereignty. So I incline to the view that Sukhavati should ideally avoid U.N. membership, but might well be advised to try to join it (temporarily, at least) if such a status turns out to be vital to its defensive interests.

A less dangerous form of international entanglement is the role of peacemaker. (I am referring to diplomatic, not military, forms of peacemaking.) It could be in the interests of Sukhavati to help negotiate cease-fires and peace treaties elsewhere in the world (as well as monitoring elections, etc.) as a form of public relations, and to enhance Sukhavati's legitimacy. Also, under the general rubric of public relations, I'm not sure whether government involvement is

needed in order for a nation's athletes to be permitted to participate in international competitions like the Olympics, but if the state's rubber stamp is required for the Sukhavati air hockey team to compete, the Sukhavati government ought to stamp accordingly. (State funding is not appropriate, and also not needed.)

Crime Across Borders

Issues of crime create special diplomatic problems. Would Sukhavati allow criminals residing within its territory to be extradited back to their country of origin (say, Naraka)? Presumably it makes a difference whether the crime with which the person is charged is a genuine crime under libertarian principles, as well as whether the criminal has a good chance of receiving fair judgment in the Narakan court system; but if those conditions are met, should the Sukhavati government extradite the accused person, or instead demand that Naraka bring suit against the accused in a Sukhavati court? The case for Sukhavati agreeing to extradite accused criminals to Naraka is that doing so might be a precondition for getting Naraka to extradite Sukhavati's own fugitives back to Sukhavati; but against this is the moral risk of false arrest. My own feeling is that the Sukhavati government should not serve as a lackey for statist regimes; if a foreign nation regards itself as having a claim against a resident of Sukhavati it should be required to prove its claim in court, under Sukhavati rules of justice. Also, foreign agents coming to Sukhavati to forcibly extradite the accused criminal themselves (as the United States repeatedly claims the right to do) should be treated as common kidnappers unless they, too, can prove their case in court. If, as a result of this policy, the Sukhavati judicial system is denied the right to extradite its own criminals from Naraka, so be it; think of it as one fewer criminal that Sukhavati has to deal with.

This raises the related issue of diplomatic immunity. Many countries exempt visiting dignitaries from their laws, in exchange for similar exemptions in return. It would be nice if Naraka gave the gun-totin', pot-smokin' Sukhavati ambassador diplomatic immunity from prosecution under Naraka's statist laws; but securing this goal does not justify depriv-

ing Sukhavati citizens of their right to legal recourse against genuine crimes committed by the Naraka delegation while in Sukhavati. I think diplomatic immunity, like extradition privileges, is a luxury that a libertarian state must do without.

There is, however, a way in which Sukhavati *could* recognize diplomats from foreign nations as being on foreign rather than Sukhavati soil *while in their embassies*. Since Sukhavati will presumably have a liberal secession policy, portions of land whose owners wish to house foreign embassies can simply secede from Sukhavati and form a mini-state within a state; and this mini-state could then affiliate with a foreign nation.

Military Action

When, apart from resisting an actual invasion, should Sukhavati engage in military action? Many libertarians would say: never. On the whole, I agree. War is extremely dangerous for freedom. Abroad, it creates enemies (hence Switzerland has maintained its independence through a consistent policy of military non-intervention); domestically, it can serve as an excuse for increased government power (hence Randolph Bourne declared, "War is the health of the State.").

Yet I can envision cases in which it might be to Sukhavati's interest to form military alliances with other states, committing itself to defend them in exchange for their promise to defend it. Such entanglements are undesirable, but might be necessary for a fledgling nation without a strong enough military presence to go it alone. Perhaps, rather than undertaking to defend Naraka from its enemies, and thus getting bogged down in Naraka's wars, it might be better for Sukhavati to pay Naraka economic aid in exchange for Naraka's military protection (a simple fee-for-service relationship). But this approach has its dangers. In the wake of the Greco-Persian Wars, a number of Greek states allied with Athens to form a mutual-defense league to forestall any future Persian invasion. Member states were given a choice between providing military equipment or paying a fee; most states found it more convenient to pay the fee, while Athens always supplied warships instead. The result was that the mutual-defense league

was converted into an Athenian empire, with all the member states paying tribute to Athens, who controlled all the military equipment. Thus it might be safer, for the sake of Sukhavati's own security, to supply its own military support rather than paying potential enemies to expand theirs.

Another problem for military policy is the question of intervention. Suppose a libertarian revolution breaks out in the People's Republic of Naraka. Certainly the Sukhavati military should not help the Narakan government put down the rebellion; no treaty can justify participation in an unjust war. But should Sukhavati actively intervene on behalf of the rebels, or should it remain neutral? Neutrality should be the general policy, and intervention the exception; but the exception might sometimes be justified, if a potential enemy could be converted, through a change of regime, into a friend and ally (or possibly even expanded territory, if the new regime, or some geographical portion thereof, petitions for annexation by Sukhavati). Such intervention can also be risky, however, since it might earn Sukhavati the suspicion and hostility of other states in the area. Certainly the free nation should not undertake the anarcho-imperialist project of making the world safe for libertarianism. In brief, intervention should be approached only with great caution; and a public referendum should be required in order to authorize any such military adventure.

Perhaps the strongest case for military intervention would be those areas that have seceded from Sukhavati and since turned oppressive (assuming that the oppressed within those areas have requested Sukhavati assistance). Pockets of statism within the free nation's boundaries pose a greater security risk, thus strengthening the case for intervention; at the same time, foreign countries are less likely to be alarmed at Sukhavati intervention into mini-nations within its own borders, mini-nations that those countries probably never recognized anyway, thus weakening the case against intervention. However, the goal of intervention should not necessarily be the reincorporation of the seceded territory into the Sukhavati nation-state, but rather the liberation of the oppressed. Such a liberated territory

(Concluded on page 9)

Reply to Roderick Long's "Was the State Inevitable?"¹

By Phil Jacobson

Let me set the tone for my remarks by agreeing to agree with Roderick to an extent. He states: "Even if the state was not inevitable, the greater material scarcity of pre-industrial societies doubtless made it more likely." Thus stated, I can hardly disagree.

Much of what Roderick says in his essay is based on what seems to be an inaccurate understanding of some of my views. Our last FNF Forum was about the family in a free nation. I chose to approach this from the perspective of the historical relationship between family and state. References to the origins of the state in my presentation were brief. The verbal comment I made in response to Roderick's question was far briefer.

To clarify things, I will explicitly address the topic of the origins of the state in an essay entitled, "Food Wars and the Origin of the State" (beginning on page 33 in this issue) which can be read independently of my discussion with Roderick. However a number of points which Roderick raised (in quotes below) deserve separate comment.

"... at our most recent FNF Forum, I asked [Phil] ... whether the transition from primitive society to civilization could have been accomplished without the creation of the state—or whether instead the state was a historically inevitable phase that humanity had to pass through.

"Phil replied that the latter seemed more likely to him, because prior to the Industrial Revolution there simply were not enough resources to support everyone, and so human interaction had to be, on balance, zero-sum"

Close, but not completely what I meant. I believe that the zero- (often negative-) sum forces associated with the state were specifically the result of periodic food shortages in the denser post-hunter-gatherer economies. Other limited resources were not part of the prob-

lem I'm referring to. And even food shortages were not continuous, though they became a constant threat.

"exploitation would be seen as a more attractive mode of interaction than cooperation,"

This is not about exploitation, which is a by-product of the real problem. It is about surviving. As several generations of individuals grew up believing that famine could strike with little warning, they learned that survival required military institutions which would be ready to protect or steal food.

"If Phil's account is right, ... the absence of industrialization is what maintained the power of the state..."

It was not the absence of industrialization—but the citizen's fear of death.

"if it is the state that prevents us from getting to that positive-sum ideal, and the absence of positive-sum society is what maintains the state, then by Phil's argument the present existence of the state might make its future continuation inevitable"

I think the state actually encouraged industrialization because of the value of industrialization in the production of weapons and other war supplies. And it is not in the state's interest that the entire society be zero-sum. It is only necessary for the state that individuals feel that they must be prepared for a war over their survival. War itself is a negative-sum environment. Preparation for war would not necessarily require zero-sum relations between citizens. Between wars economic productivity within the society provides the state with a larger tax-base, which can make it stronger and thus more appealing to security minded citizens.

"I want to resist the idea that pre-industrial society was zero-sum in so strong a sense as to make gains from exploitation generally outweigh gains from cooperation."

I never said this. I don't believe it. The only zero-sum game is the one of social dominance. The leaders of the

state want to keep their status relative to every one else in the society. This does not inherently preclude a general rise in prosperity though it often has that effect. The state is primarily interested in being able to suppress military competition. It wants loyalty from its citizens, not poverty. Cooperation between citizens is fine as long as this cooperation does not threaten the state. Civil strife in a single society can be useful to a state if there is no external military threat upon which to base citizen fears. But for any one state, it is best if the conflict (and fear of conflict) on which the state feeds is directed towards other communities (usually with their own states). George Orwell described this fairly well in his novel *1984* under the heading "War is Peace." I believe Orwell was wrong, however, to imply that sheer propaganda could sustain the fear indefinitely.

"we can see that moral views advocating cooperation as preferable to exploitation even in the face of severe material costs were plentiful and popular in the ancient world."

It is useful for most states that a part (often the majority) of the subject population be non-military producers, who pay their taxes but who never participate in or train for violent activity. Many ancient (and modern) philosophies provided handy belief systems for such people and were (and are) quite useful to the state. In especially desperate times part of this docile population could (and can) be abandoned so that the soldiers and more privileged citizens remain adequately fed.

"Phil ... would presumably say that although trade itself was positive-sum, it occurred in a context that was zero-sum."

Phil would not say that trade occurred in a context that was zero-sum, but rather that it occurred in a mixed (zero-sum, negative-sum and positive-sum) environment, much as Roderick himself says. Phil thinks that theoretical explorations of such mixed environments are long overdue and thanks Roderick for raising the point.

"I take it that Phil sees ancient societies as being in something like this situation, where the cost of refraining from exploitation is so great that it outweighs the gains from cooperation."

No. Only that the fear of death motivates the bulk of a statist society's citizens (and serfs, and slaves) to cooperate with the exploitive institution known as the state. Most of the support of the state comes from taxpayers, not soldiers.

"our ancestors certainly had the conceptual resources to realize that their experiment with statism was not going to benefit most of them"

The state was not an experiment. (It is interesting that this is as close as Roderick gets to offering an alternative explanation of the origin of the state.) I see no evidence suggesting that an ancient constitutional convention established the first state as a contract between free individuals. The state was formed when

bands of conquering warriors found it more expedient to treat the conquered as cattle than to simply kill them and/or steal from them. This was a major conceptual breakthrough for these warriors. The conceptual resources of the conquered were limited to accepting this situation as preferable to death.△

Reference:

1 *Formulations*, Vol. IV, No. 4 (Summer 1997).

Entangling Alliances

(Continued from page 7)

might of course petition for annexation, just as any foreign nation can; but such requests should not automatically be granted. The value of expanding Sukhavati territory must be weighed against the value of competition and diversity; ideally there should be not one free nation but many, experimenting with different versions of libertarianism (and different foreign policies!), so that we may learn from the results and so that the corruption of one libertarian government will not entail the corruption of them all. One role for Sukhavati diplomats might be to study and advise other fledgling free nations, should any emerge.

Now I've been talking about the Sukhavati military as if it were fully equipped like any other army, with its full complement of tanks, fighter jets,

and machine guns. But this raises a final question with which I will close: How will the Sukhavati military obtain its weapons? Arms sales are precisely the sorts of thing that tend to provoke larger powers into intervention; plus there's simply the logistical problem of getting all this equipment into the country (and having to pass it through adjoining countries, if Sukhavati is inland). Once Sukhavati is established and accepted as a country, it will have an easier time purchasing arms, but it needs them from day one. And the prospect of a bunch of libertarian computer geeks trying to negotiate illegal arms sales on the black market does not inspire confidence. (Perhaps Sukhavati will emerge in a territory that already possesses arms, but in that case it's likely that it also already possesses an entrenched military class,

which poses problems of its own.) This is perhaps one of the reasons that Rich Hammer has always stressed that the free nation movement must command considerable resources and considerable public acceptance *before* it actually acquires territory. Most free-nation projects proceed in the other direction, trying to establish sovereign territory first, and build wealth and acceptance later. I support all such projects, and hope they succeed; but they do face significant problems that I have not yet seen satisfactorily addressed.△

Roderick T. Long teaches philosophy at the University of North Carolina at Chapel Hill, and writes poetry when he can get away with it. He likes to be pestered with idle chatter at BerserkRL@aol.com.

Foreign Relations for a Free Nation

by Richard O. Hammer

For my part in our Forum, I will make a series of points, about the international relations of our envisioned free nation.

The Goal Toward Which I Work

As we enter into this discussion, there may be some confusion about what we mean by the word "nation." We talk about seeking a free nation. But what does "nation" mean?

What I mean by "nation," as I use that word in my work in the Free Nation Foundation, is the common meaning. I mean a nation with identity and with borders. I mean a piece of the earth, distinct from the remainder of the earth, so that when you look in an atlas you will see it drawn in its own color—just the way other nations are drawn.

I need to make this clear because some fellow travelers in the libertarian movement seek a "virtual nation," or a "nation in cyberspace." But that is not what I am talking about.

And some participants in FNF strive to attain a free society, more than a free nation (as I have defined the term). The goal of attaining a free society, as I understand it, seems more remote, more difficult, because it seems to require that more, or more difficult, changes take place before it can be attained. For us to attain a free society would require, I believe, either that an overwhelming majority of the surrounding populace, and not just libertarians, be educated to appreciate the value of voluntary order, or that, apart from the education of the masses, advances in wealth and technology outstrip the ability of the state to keep up with individuals, so that the state withers away and becomes irrelevant.

A free society sounds fine to me. I hope it can happen. But, for those of us who want to act, who, sensing the urgency of life within us, want to do something more than wait to see how history unfolds, I repeat: We libertarians hold easily enough strength to secure for ourselves a new nation, a piece of real estate

which foreign regulators and tax collectors will not dream to enter. We have this strength today. Today—if we can pool enough of our strength toward that shared goal—we can create that nation.

I recognize that my assumptions raise



Richard Hammer

a host of questions, of paradoxes. How, for instance, can there be a region which has borders if it does not also have a foreign service? an immigration policy? an army to patrol the borders? and a coercive government which will tax to pay for all this?

These are good questions. I founded FNF so that we libertarians could work together to seek answers.

Libertarians can, and no doubt will, continue to debate theory until the end of the next millennium. But we should not allow this fact, that debate continues, to cripple our progress toward building shelter, today, for as many of our rights as possible. We only need to find good compromises: compromises which will work and which will attract the support of enough of us so that we can gather a critical mass.

In saying "compromises" I announce that I will settle for a nation which falls short of libertarian ideals. If we create a new nation, with more freedoms than any other nation now existing on Earth, that will be a big step in the right direction. If we can do that, I may be satisfied, believing that a platform has been erected, upon which the next generation of liber-

tarian rabble rousers, and advocates for free society, can build to more perfect heights.

So that sets the stage. We are looking for workable, practical answers, to theoretical paradoxes.

REASONS TO DIVIDE IN DEFENSE

Let me start by repeating a viewpoint that we expressed in our earlier Forum on Security in a Free Nation. When we are considering the security of a nation from foreign invasion, it is educational to notice that a centralized defense can be easier to conquer than a decentralized defense. If a nation has a central government, with a capital, with a unitary chain of command, this gives any conqueror a clear objective: seize the head, or the capital, and probably the rest will fall into limp and useless discord.

Whereas if a nation has no one central command system, if, in the extreme, every household is completely responsible for its own defense, then every single household will have to be conquered, one at a time. An example is provided by the difficulty which the British had (and still have) in trying to maintain their grip upon Ireland. After the British invasion of Ireland, the Irish in the countryside did not have enough respect for the capital of Ireland to care if it had fallen. They kept on fighting.

Who is the object of an attack, and why?

When the government of one nation decides to invade another nation, the attack is not normally directed at every single person and interest within the invaded nation. Rather the attack is directed at only some subset of the people and interests. Furthermore, in the nation being invaded, probably there are some people who welcome the attack.

But suppose, as is typical, the government of the invaded nation decides to fight back, with the resources of the nation as a whole. Then we must see that this expenditure is no different than any other expenditure on the part of a coercive government, in that it represents, not the desires of everyone in the nation, but rather only the desires of the faction which happens to hold power in the government at present.

It seems likely that an invading nation will recognize this, and will focus its effort on trying to conquer only those parts of the invaded nation from which resistance springs. And, if the invasion succeeds, subsequent life within the conquered nation will change for the worse for some inhabitants, but probably not for all of them.

To me, this leads to the idea that we should welcome division, in many ways, of the defense of the nation. With defense, as with most "public policy" questions, we can see a plausible route to defusing what appears to be an intractable problem, as soon as we stop saying "we" have a problem. Privatize the problem. Sell off the assets at the focus of the problem. Let the individuals who then own the problem deal with it as they see fit.

Rather than wave flags, and attempt to arouse in all a willingness to fight for the "good of the nation," should our nation face attack we should say, to that subset of our neighbors who are really the direct object of the pending attack, "What have you done, neighbors, to provoke this hostility?"

We should listen to their answers, and we should join them in a violent struggle to defend themselves only if we sympathize, or if we in truth share some common wealth with them. If we do not have a reason such as this to join our neighbors in their defense, then I will argue that the right thing to say to them is, "You, but not I, have a problem."

Now some knee-jerk patriots may call this cowardly. But I think it is wise, and probably moral. I have been arguing this case, and others have questioned my view, in other articles here in *Formulations*. As such I will not repeat the reasoning at length here. But, to any who would call it cowardly, I offer a challenge: meet me in debate, public and thorough, in which we each attempt to justify our position—if you dare.

Example 1: U.S. in the Gulf War

For an example, I recall the Gulf War, in which George Bush controlled enough interests in the U.S. that he was able to deploy the forces of the U.S. against those of Iraq. In this way the cost of the war was spread among Americans, through the tax structure. But if the U.S. had been what I call a free nation, then a

different set of interests in the U.S., or in oil-consuming nations generally, would have had to face what to do, if anything, about Iraq's seizure of the Kuwaiti oil fields.

I think it would be just fine if oil companies were responsible for defense of their own fields. Exxon could afford to buy some F15s, or to lease some as needed from a general-purpose defense contractor. Let them do it.

Economics: Who should pay for defense of what?

I assert, you see, that primary responsibility for defense of property should fall to the owner of that property. Secondary responsibility for defense may be shared, in surety, by a pool of owners in a similar class. Such a scheme should present no insurmountable barriers to people who employ their assets efficiently, for the following two reasons:

First, people who employ assets profitably will thereby enjoy some surplus with which to pay for defense. The amount of money that an owner can commit to pay for defense of a given item of property derives, in large part, from the use to which the owner puts the property.

Second, property tends to move into the ownership of people who value it most. Basically, this is what trade achieves. If we can assume away transactions costs, and ignore the subtleties of aesthetic attachment, we can say that free trade will move ownership of each item of property into the possession of the person who values it most.

Example 2: Defense of Underutilized Property

Suppose a particular 100-acre plot of land has two possible uses.

1. Support a farmer who ekes out a poverty-level existence. Estimated market value: \$20,000 per year.
2. Produce 5000 barrels of oil per day. Estimated market value: \$30,000,000 per year.

Should the land at present be in use 1, there will be forces, economic and possibly armed, to move the land into use 2. These forces grow because many more people are served, in ways and in amounts that they value, by use 2.

No doubt we will hear some moralizing about rights march onto this field of cold economic discussion. "Are you saying," someone will challenge me, "it is right that a farmer should be forced, against his will, to yield his land to oil production?"

I would answer that questioner by returning a question of my own. Suppose you are a neighbor to this farmer. Years ago, government policing seeming ineffectual out in these parts, you entered an informal mutual-defense pact with him. At the time you felt natural empathy with him, as your lifestyle and land seemed equal. But recently this one difference, the oil, has made itself evident. Even though you have searched, you have not been troubled by such a discovery on your plot.

Now your neighbor, a sensitive person, has turned down an offer of \$80 million for his 100 acres. This farm, you see, has been in his family for five generations. He intends to continue farming in the style of his forefathers. And he knows he has some strength to maintain this position, because of his mutual-defense pact with you. He has vowed to resist all advances upon his rights.

Into the scene comes Bully Oil Company. Bully, it turns out, has its own defense forces. It finances these forces from its oil fields, and uses these forces in defense of those fields—or so it says.

But one morning your neighbor awakens to see a line of Bully armed personnel carriers at his fence line, prepared to cross. And, government policing seeming ineffectual in these parts, he calls to you, "Good neighbor, get your bird gun and join me at the fence line. There we will fight, and die if need be, to defend my rights."

What do you do?

Your neighbor has turned down an offer for vast wealth, which you would have eagerly accepted, and has chosen instead to waste his life and yours to cling to his right to continue busting sod on this particular 100 acres. What is right?

"Neighbor," I would say, "I am not sure our mutual-defense pact meant exactly this." And, as I develop the argument, that is right.

Common Sense: Who should pay for defense of what?

If an asset is employed in a suboptimal way, then there is a cost to be paid in holding that asset secure in that suboptimal use. That cost, I would argue, should be paid by the one who chooses to hold the asset in that use. It would be wrong to force others to pay that cost, through some scheme of law or national defense, unless they had voluntarily bonded to do so.

In our free nation, for any bonds which I joined, I would be inclined to join in defense of practical values with which I could empathize, but I would not join in defense of aesthetic whims which could become expensive.

Now, if we employ an assumption which I believe is common in military calculations, that one who would attack, to acquire a given asset, must commit more resources than one who would defend, to hold the asset, we can notice that crime would not pay, not normally anyhow, against a community organized as I have suggested. In such a scheme assets will tend to be owned already by people who gain most from that ownership, and those people commit, on average, sufficient resources to defend their property.

WAYS TO UNIFY IN DEFENSE

An attack upon a nation may focus upon a few victims at a time, and this leads to one argument for a collective, coercive national defense. Why, for instance, would a property owner at the center of the nation care if a property owner at the frontier loses his land to an invader?

But it is easy to counter this argument, if we assume, in the vision of our free nation, that robust institutions of insurance and risk sharing will grow. For instance, I might enter a bond, in a peer group of property owners, to share loss in the event of invasion, acre by acre. In such a bond, if my peer at the frontier comes under attack, I come under attack, as I (along with 98 other members of the group) may be required to yield one acre of my land for each hundred which he loses.

This gives me direct interest in supporting defense of his land. With free and honest contracting such bonds should be possible.

And, I assert, insurance companies—if freed from regulation—should be able to effect this.

WHAT DO STATISTS THINK?

Over the years I have enjoyed noticing the ways that libertarians explain statism. We libertarians have, among us, many different theories to explain what goes on in the thinking of our ideological opposites.

When we formulate foreign policy, each of us will probably base our prescriptions upon our theories of how our opposites think. In this section, I will tell two observations of my own about the thinking of statist, and will derive prescriptions for foreign policy.

First, statist do not understand libertarianism.

Now many people, it seems to me, do not like to admit ignorance about some subject. As such, many statist will say that they know what libertarianism is about, or at least they will act as though they think they know what it is about. But I have noticed an almost iron rule, and I invite you to compare notes with me to see if your experience confirms this rule:

The only people who can describe the libertarian philosophy—to the satisfaction of a libertarian—are other libertarians.

With rare exceptions, no statist can describe the libertarian philosophy, and what it implies, to the satisfaction of a libertarian. On the other hand, the majority of self-described libertarians can, I believe, pass this test.

Starting with this observation I have surmised that, in most people, understanding of the libertarian philosophy grows with embrace of the philosophy. People who know it in their heads feel it in their hearts.

Thus, I think we should face this fact: Statist will never understand us. Any person who has gone through the process of learning, to the point where he can satisfactorily describe libertarianism, has almost certainly become a libertarian in the process, and thus is no longer a statist.

This suggests that the diplomats of a free nation should not expect to be understood. Rather they should accept misunderstanding as a fact of nature, and strive to work within its limitations.

Second, statist do not think libertarians are dangerous.

From my experience in politics in America, I believe that our statist neighbors think we are crazy, idealistic, or misguided—but they do not think we are dangerous. And that should make us, in the free-nation movement, smile.

Probably the biggest threat to a newly forming free nation would be the threat of invasion from a large power. But, if our nation will be viewed, in the international scene, with the same attitude with which the Libertarian Party is viewed, in American politics, then the libertarian nation will be mostly safe: It will be mostly ignored.

For evidence to support this view, notice that on earth there exist some little nations which, even though they are not libertarian, do have unusual degrees of freedom. Amsterdam (Netherlands) has unusual freedom to consume narcotic drugs. Singapore has unusual economic freedoms. And notice that these little nations exist without their unusual freedoms provoking the ire of statist in bigger nations. Rather the statist, for the most part, ignore these zones of greater freedom. If our little libertarian nation practices reasonable diplomacy, I believe statist will ignore it too, for the most part.

And reality helps us on this score. When the statist sense that our little nation poses no military threat to them—they will be right.

Now you and I might get some satisfaction from believing that we do pose a threat—in an ideological sense—to statist nations. But remember, if this is true, statist do not see it that way. They think we are nuts. Let it be. Actually, we should thank our lucky stars. Just so long as they do not think we are dangerous, we could not ask for a safer cover.

Our statist neighbors will not take time to think about our little nation. Their thinking will be occupied, as it is today, by pressing needs which they think they see within their own nations, for new acts of state. (To clean up the mess created by their prior acts of state.)

The Ideal Ambassador

One time, at a conference organized by a libertarian institute, I witnessed the presentation of a speaker whom I would like to nominate, for your consideration, as an excellent ambassador for a free nation.

He was a professor, I think, of philosophy. He was semi-shaven. He had combed his hair perhaps a month ago, but certainly not during the past week. His tie was crooked. He talked for 40 minutes, but I cannot tell you what it was about. During the whole of his talk he never looked at his audience. Rather, with arms pressed to his sides, and legs pressed together, he gazed above the audience. As he spoke a meek smile remained fixed on his face. He quoted Ludwig von Mises a lot, I think. When he finished, no one asked any questions. He dipped, in a sparrow-like bow, and departed.

What a great ambassador, I thought.

No one knows what this guy is about. But, since no one feels in the least threatened, no one cares. Everyone ignores him. Everyone returns to his own business. What more could we want, for the international presence of a free nation?

I am serious about this, partially at least. The most important message which our foreign policy needs to convey to outside nations is, "We are not dangerous to you." One way to attempt to convey this message is to say it, in those words. But you and I know that statisticians seem never to listen to libertarians. So another way, perhaps even more persuasive, to communicate our non-aggressiveness, would be to display it, through a foreign service comprised of ambassadors such as the above professor.

Our Ambassadors' Training Manual should contain this exhortation: *When in doubt, when stares make you sweat, start quoting Ludwig von Mises, in long passages. The glare of attention will soon recede.*

Basic Attitude Is Live and Let Live: Do Not Provoke

Good neighbors live and let live, they do not meddle in each other's internal affairs. As such, a libertarian nation, to the extent that it has a centralized voice with which it speaks, should not try to convert citizens of other nations to the

libertarian philosophy. Such attempts would seem wrong to me, as they are not required by our libertarian philosophy, and they might annoy the governments of those other nations. And, until our nation is well secured, it needs to avoid annoying governments in other nations.

But on some occasions I think it might be appropriate for the ambassadors of our nation to make brief statements about libertarian principle. These occasions would normally be limited to times when someone asked for an explanation. But, on rare occasions, an explanation might be proffered: if it was evidently needed to further negotiations, or if it promised to enhance the peaceable acceptance of the free nation.

IMMIGRATION POLICY

The immigration policy of a free nation should be, I believe, no policy at all—at least as far as the nation is concerned. But of course if, against my preference, the free nation owns land, docks, or airports, then it would need to have a policy regarding immigration on that property. If a government owns land, then no one except the government can be expected to police it.

Notice that the problem encountered by statist nations, of masses of immigrants huddled on docks or penned on beaches, occurs only because of the existence of public space, of the fact that those countries have nationalized the entry points, thoroughfares, and policing. If all these are privatized, the problem will shrink from view.

Of course each property owner in a free nation could and would have a policy, regarding who is and who is not welcome. And each property owner would be, ultimately, responsible for the policing necessary to maintain this policy. The company that owns a dock, or an airport, naturally faces greater risk that its property will be entered by persons who have no welcome on adjoining properties (by people who cannot leave) and thereby naturally incurs a greater cost of policing against unwanted entry.

Assuming it is more efficient, for the whole nation, to police entry at the common entry points to the nation, then the cost of that policing will naturally, through neighbor-to-neighbor market forces, fall upon the owners of entry-

point properties. If all land in the free nation is private, we have nothing to worry about regarding immigration policy, because our worry will have been subdivided and acquired, as part of the package of ownership, with each purchase of property.△

Richard Hammer continues to spend three-fourths of his time managing FNF, a commitment which, for the time being, includes editing Formulations. In his spare time he is renewing his computer programming skills, learning the language Delphi, anticipating that in the future he may earn his keep as a software developer. In the past he has worked as an engineer and home builder.

Aggression Is a Luxury, Not a Necessity

by Mary J. Ruwart

In the last couple issues, theories about the possible origins of aggression have been discussed. One of theories, which appears at first to have merit, is the suggestion that early societies, without the wealth we now enjoy as fruits of the Industrial Revolution, needed to steal from each other in order to survive. Aggression, in this context, arises as a necessary evil in early society.

I find this theory incompatible with my understanding of libertarian principles. Aggression, in the form of taxes and regulations, is always "justified" with cries of necessity. If aggression were truly ever necessary, a nation's freedom would always be conditional. A free nation could expect to eventually revert to aggression as the "need" arose. Once a government grows out of "necessity," it can be pruned back only with difficulty, and a free nation would eventually become enslaved. Thus, a free nation would be impossible to sustain and our efforts to achieve a stable bastion of liberty would be futile. We either admit defeat before we begin, or find a new understanding of how aggression arises.

Let me suggest an alternative viewpoint to the theory that aggression was a necessary survival tool of early civilization. First of all, most of the research I have seen on early societies (pre-agricultural) suggests that aggression was considered a most grievous offense. Injuring someone had serious repercussions, since broken bones rarely healed properly and teeth lost during fights could not be replaced. In a hunter-gatherer society, injury greatly impaired an individual's ability to survive. Wounds that we consider trivial today often resulted in infection and death. Thus, people who harmed others were either ostracized from the tribe, paid a great deal of restitution, or were enslaved to support the injured individual.

Theft was unusual, since there was little to steal. In non-agricultural societies, stockpiling of food was limited. Personal possessions might include pot-

tery, the skins one slept on, and the clothes worn by the individual. In a tribal society, stolen property was easily found and identified, so apprehension was almost certain. Running from the



Mary Ruwart

tribe's wrath could prove life threatening to the thief, since an individual had a difficult time surviving when injured, ill, or without the division of labor that a tribe supplied. The threat of ostracism could literally become a death sentence. Thus, stealing simply was rarely worth the effort.

Pre-agricultural civilization discouraged tribal aggression as well. A tribe that prepared to steal their neighbors' cache of winter food spent their time getting ready to fight instead of stockpiling their own food supplies. Since a hunter-gatherer society couldn't preserve or store much for the winter, a large part of their seasonal sustenance came from continuous food gathering activity. Thus, stealing from another tribe had limited usefulness.

In addition, while the first such strike might be "profitable," because the victims were unprepared, the second strike was certain to be met with more formidable resistance. Thus, the cost of stealing would rise with time as victims became prepared or the warring tribe needed to travel to find less suspecting victims. In addition, thieving tribes would need to defend themselves against possible retaliation. Trade with other

tribes, even those not attacked, might cease as a form of ostracism. While warriors were stealing, they couldn't help hunt and gather. Usually, the cost of aggression far outweighed the benefits. Thus, in the poorest of societies (hunter-gatherer), aggression was largely (and rightly) viewed as counterproductive.

With the advent of agriculture, however, significant stores of food could finally be produced and set aside for winter. Harvesting began to replace hunting. Clothing and other goods could be accumulated, instead of laboriously relocated every season, once the nomadic clans turned to homesteading. Now, at last, enough wealth in the form of goods and food could be accumulated to making stealing it profitable. The stolen food or other wealth, of greater quantity than that taken from a hunter-gatherer, could keep the aggressor alive longer without assistance from a clan or tribe. Furthermore, farmers were less likely to have the expertise to track down the thieves as well as a hunter-gatherer. Farmers also were reluctant to track a thief if it meant leaving their wealth-creating land unattended. Thus, offenders were less likely to be caught.

Ostracism was not as much of a threat when wealth, especially in terms of food, could be accumulated. Instead of depending upon group hunting skills in times of scarcity, an individual or small group could depend upon their foodstuffs in storage. In summary, many of the costs that made aggression obviously unproductive in the hunter-gatherer society were substantially decreased in an agricultural civilization. Aggression appears to be a viable option only when wealth extends beyond immediate needs and can be accumulated.

I use the word "appears" in the preceding sentence because profit from aggression is largely an illusion (for a detailed treatise on this subject, see my book *Healing Our World*.) However, as wealth increases, the "wages of sin" experienced by the aggressor are often delayed and thus discounted by individuals and groups contemplating aggressive acts.

(Concluded on page 16)

Thoughts on Dismantling Government

- or -

You be careful while you're taking that bomb apart.

by Richard O. Hammer

[This article was written for, and first appeared in, *Texas Independence Magazine*, July 1997. Web site: rtmag.com.]

Recently I watched the movie *Gandhi* again (Columbia Pictures, 1982). The riots and violence shown toward the end of that movie reminded me of a danger that I think Texans may need to understand. In that movie, as an oppressive foreign government withdrew its forces, violence erupted among the people who had been the subjects of that government. I hope that Texans, who are now debating a new Constitution for Texas, might plan to avoid such dangers as they plan to dismantle the evil empire.

The movie showed ethnic warfare that broke out in India, between Moslems and Hindus, in the late 1940s as Britain withdrew its forces of colonial occupation. All across India, in every village, Moslems and Hindus had lived side by side for hundreds of years in a peace held by British law. But the British withdrew with their law.

Suddenly no means existed, in communities, to process petty neighbor-to-neighbor animosities. No time had been allowed for replacement, community-based systems of law to grow. In the melee which ensued most people, it seems, could imagine only one resolution: a split at the national level.

And sadly that is what happened. India split, into the now predominantly-Hindu India and predominantly-Moslem Pakistan. Mass migrations resulted, as families from each sect chose to flee when they found that their homes were doomed to be annexed into the nation of the opposite sect. What a mess. But I propose that it might have been avoided if the power of the state had been dismantled more carefully.

Consider another mess: the savings and loan scandal in the U.S. People who have studied this mess have concluded that it could have been avoided if government arrogance had been dismantled in a different order. The problem was caused by the fact that government insured deposits in S&Ls, and continued to insure those deposits after deregulating management of the S&Ls.

Rarely will you see me arguing in favor of an act of state. But some acts of state seem justified in light of other acts of state. If a big mama government promises to insure you, no matter what you do, gradually, as the insurance bills skyrocket, it will dawn upon statisticians that costs might be contained if government also takes charge of your choices. This is reasonable, if you assume that government had any business providing insurance in the first place.

So, my point is that some acts of state do serve real needs. In many cases the only institutions in a society which can fill a given need are run by the state, because the state has killed the possibility that a private industry might grow to fill the need. This happens where the state has given itself a monopoly in filling the need, or where the state, through a scheme of redistribution, has filled the need for a price below cost, and private enterprise has been unable to compete.

In these cases disaster may follow careless deregulation. Where a real need is served by institutions of state, and where no private industry capable of filling demand for the need has grown, then sudden removal of the state institution which fills the need will probably make a mess.

When the British withdrew from India, they took with them the only system of law that living Indians had ever known. A wronged person could hope to find peaceably-enforced justice only by applying to the British. And suddenly the British were gone.

I believe that we humans can, and almost always do, find ways to live peaceably enough with our neighbors. We need peaceable relations. And just as sure as the grass grows, we build ways in our societies to resolve disputes which inevitably arise. A study of the history of English law shows that a working system of common law existed, in communities all across that land, before English kings

started to take that law under central-government control by requiring that some procedures take place in the King's Courts (for a fee, you will not be surprised to learn). (Readers who want to learn more about this history of English law can find it in *The Enterprise of Law: Justice Without the State*, by Bruce Benson.) But the building of community-based law takes time.

So, how can Texans dismantle the *de facto* state without making a mess? I take a lesson from the savings and loan scandal. Some acts of state are needed because other acts of state have created an environment which invites abuse. Study the tumor carefully before starting to cut. With the S&L situation, first the insurance should have been withdrawn.

I find it more difficult to imagine the appropriate way that the British should have withdrawn from India. But I believe the correct approach would have included a series of steps spread over time. First the British should have rescinded their monopoly in administering law (I assume, since governments have this habit, that the British had made it illegal for anyone else to administer justice). This would allow growth of alternate means of administering law.

Further, while allowing alternate systems to operate, the British should have started charging user fees, small at first but increasing with time, for those who appealed to British law. The plan would have been to price British law out of the market, gradually. When the fees for British law got high enough, alternate institutions should have grown large enough to dominate the market. Most Indians would have learned to use and trust those alternate institutions (as much as any system of law can be trusted). Then the British could have withdrawn without making a mess. Anyhow, this is my view. I invite you to consider it.

Now, reasonable people will object that my kind of plan will not sell. It is unpopular to withdraw a government service that looks like free candy. I agree. Indeed, I fear it may be impossible to dismantle some government programs by working through the means available in a majority-rule democracy. For myself, since I have these doubts, I work through the Free Nation Foundation, following a different plan to peaceably achieve limited government.

But, for the sake of Texans, I hope that a majority of you have seen enough of government to know its sweet promises always bring more pain than pleasure. I hope you will be able to work through your new constitution to cut government. But, I suggest, be sober. Make sure you have a clear head when you pick up that knife.△

Aggression Is Luxury, not Necessity

(Continued from page 14)

The Industrial Age created further temptation for would-be aggressors as wealth increased geometrically. However, in our upcoming "Information Age," the understanding of aggression as a lose-lose situation can spread throughout the world. Lies are more difficult to maintain when people have universal access to a variety of viewpoints. Radio, television, telephone, and fax machines were instrumental in making the Soviet Union obsolete. Let's hope that government aggression, of all kinds, fares similarly.△

Mary Ruwart is a frequent speaker at libertarian conferences, a prominent force in the Libertarian Party, and author of Healing Our World: The Other Piece of the Puzzle. She holds a Ph.D. in biophysics.

The old saying about the challenge of undoing the catastrophe of socialism was that, while it's easy to turn an aquarium into fish soup, it's not so easy to turn fish soup into an aquarium.

– Tom G. Palmer

in the foreword to,
Renaissance: The Rebirth of Liberty in the Heart of Europe,
by Václav Klaus, Cato Institute, 1997

International Relations for Free Nations

By Phil Jacobson

Introduction

The term "international relations" is normally used to refer to interactions between states. What then, does this term mean when applied to the affairs of a free nation? It will be useful first to clarify what we mean when we speak of a "nation" in the context of a free society. Then we can explore what patterns of diplomatic action would be appropriate to a free society. My thesis is that a lot more activity would fall into the category of "international" than is the case with statist societies.

Current Usage of the Term "Nation"

If the members of a free society use the term "nation" to describe themselves, they should do so cautiously. They will have adopted a somewhat old-fashioned usage for this term. I have no problems doing so myself, but we who seek a "free nation" should be conscious of how our terminology differs from that of most modern politicians.

In most cases where the term "nation" is currently used, what is really being referred to is a "nation-state." In its original usage the term "nation" referred to a group of people with a common ethnicity. Usually this meant all who spoke a given language. In a few cases, it was recognized that other ethnic considerations might divide those who spoke a common language into more than one nation. Thus, for instance Serbs and Croats, who speak the same language but typically affiliate with different churches (Eastern Orthodox and Roman Catholic respectively) were divided into two nationalities (the "Muslim Bosnian" nationality is starting to be recognized as a third). In other uncommon cases it was recognized that religion or other ethnic considerations might make one nation out of a group of persons which spoke more than one language, as with the "Nation of Israel" (distinguished from the State of Israel).

Politicians have changed expectations regarding the word "nation." At the end of World War I, the notion was advanced that each nationality should be unified, with all its people put under the jurisdiction of a single state, each with an undivided geographic "homeland." The concern of the victors of W.W.I (most especially Woodrow Wilson) was that many specific ethnic groups had lived within Imperial States under the control of other ethnic groups. The Russians had ruled an empire which included Poles and Finns; the (German speaking) Austrians had ruled an empire which included various Slavic peoples; the Turks controlled an empire containing Armenians and Arabs; etc. The victorious diplomats gave much lip service to the doctrine of "self-determination for all peoples." While this could legitimately have been interpreted to mean a world run with libertarian principles, that was not what the victors of W.W.I meant. Instead all that was considered necessary was that each ethnic group have a state of its own, occupying that group's "traditional" homeland (the exact location of which was often controversial). International relations would then be a function of the politicians who ran each state dealing with the politicians who ran other states.

"Nationality" for a Free Society

If a group of individuals, all of whom believed in a free society, got together to form such a society, they might consider themselves a "nation" within the original meaning of the term. A belief in freedom in and of itself could form close enough ties between such people as to constitute an "ethnicity." But they would not be forming a "nation-state." Indeed to form any state (referring to an involuntary association, as opposed to a government based on voluntary association) would be contrary to their values.

They might, however, form various associations with one another in order to provide for common legal, police or judicial functions on a voluntary basis. But there is no necessity that one such agency be common to the entire "free nation." Indeed, the free society might be healthier if several such associations existed and if a tradition existed such that the associations were not geographically based (as has been discussed in previous

Formulations articles). For purposes of this discussion I will call these associations "free governments" to distinguish them from states.

It is also possible that various factors might distinguish different libertarian communities sufficiently as to warrant the identification of more than one "free nation." Perhaps, using the Serbo-Croatian model, religious differences might distinguish different libertarian communities. There might be a Christian Free Nation, an Islamic Free Nation, an Atheist Free Nation, or even a Secular Free Nation (for those who did not want to distinguish themselves from other libertarians on religious grounds). Each of these might have one or more free governments.

What is important here is that "nationality" is less important to diplomacy than "governmental affiliation." Individuals could identify themselves with any one of a conceivably infinite number of "free nationalities," yet still identify with a free government on quite different grounds. Yet to be in a specific community which is thought to be a "free nation," the members of that community must in fact be free. They may achieve this either through a free government or through non-governmental means. In either case there will be "inter-community relations." As a practical matter it seems that what is meant by "international relations" is in fact these "inter-community relations," some of which will be inter-governmental.

Diplomacy between Free Communities

A free community's diplomacy with other free communities will reflect the voluntarist philosophy which each free community holds. Several concerns will emerge which traditional states usually can avoid.

One of the most important concerns is in dealing with individuals who are not affiliated with a government. While, as a practical matter, states must contend with a great many individuals who fail to recognize state authority, a given state's official policy gives them little or no recognition. But, while there may be considerable pressure in most free communities for individuals to affiliate with one or more governments, the doctrine of voluntary relations will allow individuals to decline all such affiliations. As long

as no conflicts occur between non-governmentally affiliated individuals and others, the point is moot. When two such individuals clash, there would probably be a code of ethics of some sort which each expected to operate within. Various philosophers and ethnographers would undoubtedly have devised and/or described such codes, but they are beyond the current discussion. When a non-governmentally affiliated individual clashed with a free government (I assume here that any legitimate "clash" is due to the unaffiliated person having initiated force or fraud), it too would have a code—one which in effect conscripted the unaffiliated person into the free government's jurisdiction. Again, the specifics of such actions are beyond the scope of the current discussion.

However, on occasion, two or more free governments might clash with the same non-affiliated individual or group of individuals. In such a case each government would be claiming conscription rights over the non-affiliated individual. Some sort of extradition procedure or joint adjudication would have to be worked out between the governments.

As each free community can establish, through voluntary means, a very wide variety of laws and customs, free communities interacting with one another must be prepared either to be very tolerant when dealing with "foreign" free communities or to be very limited in their interactions. Either way, at least some rudimentary diplomacy between them would probably exist. To the extent that their values overlapped, any two free communities would tend to establish treaties, formally or informally, with one another dealing with things like extradition, or projects pursued by citizens from both communities. Such agreements might or might not be associated with free governments.

The border between any two free communities could become very fluid. While some free communities might accept as citizens only those who followed very narrow restrictive-covenant agreements, I think a great many free communities would allow quite a bit more property transfer across community lines than is common for modern states. This could be especially important when determining any judicial jurisdictions. A piece of land or an individual citizen would prob-

ably be able to move from one free community to another quickly and easily. Individuals could change these affiliations in much the same way that they currently move bank accounts.

Indeed, a free government might be set up which had little or no geographic base. It is not fraud to operate an organization anonymously, and the technology now exists to do many forms of business that way. A government might have absolutely no publicly advertised location, becoming virtual. Yet various protections could be provided to members of a virtual government's citizens. And a virtual government might develop an excellent reputation. Some individuals might have no governmental affiliation except a virtual one.

In at least some instances, a fugitive from one free community, welcomed in another free community, would be sought for extradition by the first community. And while the second community might have an extradition treaty with the first, the treaty might not cover the behavior in question. Consider the situation where the first community prohibited divorce while the second allowed it. An individual who married within the rules of the first community might find the marriage so intolerable that fleeing to the second community seemed the only solution. In such a situation the violator of the first community's rules could certainly be banned from returning. But any additional punishment might not be recognized by the second community. Conflict between the communities might occur (possibly a war of ostracism rather than violent war). But it is likely that, as such issues emerged, the first community would try to develop performance bonds for its citizens rather than risk damaging relations with the second community. And it is likely that the second community, while it might accept the fugitive, would not want to further risk its relations with the first community over disputes about the performance bond.

Philosophically, a free community would be under pressure to recognize new free communities and establish relations with them. While there would be no obligation to do so, a free community would probably want to establish diplomatic recognition for libertarian separatist groups breaking away from traditional states, from other free communi-

ties, and from itself. Military considerations might limit what could be done to assist the separatists. But the libertarian philosophy of earlier free communities would mean that many of its citizens will sympathize with the separatists and will at least surreptitiously support them. In the face of such sympathy, any government(s) the earlier community has cannot be expected to vigorously oppose support for the separatists, though the older free community may try to portray itself as "neutral" or "anti-interventionist."

In the event that even one free community established itself on earth, other communities would probably declare themselves ready to follow the first free community's precedent. Soon, this could present an overwhelming task to the first free community, which would be urged to validate the aspirations of numerous communities seeking diplomatic recognition as new free communities. It seems likely that the "diplomatic corps" of one of the first free communities would need to offer a Validation Service to prospective free communities. Such a Validation Service might eventually transcend the community of its origin to become a trans-national libertarian human rights organization whose certification might be, to the diplomatic world, what certification from Underwriter's Laboratories is to manufacturers.

Diplomacy between Traditional States and Free Communities

A free community's diplomacy with traditional states will have distorted characteristics for both the free community and for the traditional states. Both communities will have trouble seeing things from the other's point of view. The traditional state will seek to enter into agreements with the free community which assume both communities follow the conventions of traditional states. The free community will seek to avoid any agreements with a traditional state that do not conform to the free community's ethics.

A free community will need to contend with the diplomatic posture of any traditional states which impact that community. To some degree this would probably include any traditional states left on the earth. But a traditional state would have a wide variety of diplomatic postures to take, regarding a free com-

munity. A free community's diplomats (and this might simply mean every individual citizen) cannot assume that all traditional states will behave in the same way.

To some states, any free community will be seen as a pirate haven—a place which should not be given diplomatic recognition. This happens between traditional states too. Yet there are usually communications between such traditional states behind the scenes, of roughly the same character as normal diplomatic communication. The same would probably occur with free communities and/or free governments.

Some states will dislike the free community, but will decide to deal with it out of practical necessity. These states would likely try to force the free community to pretend that it is a state. For some purposes, for some free governments, relations might still be possible. "Purist" free governments would not be likely to agree to cooperate with states. But "pragmatist" free governments might agree to limited cooperation where common ground existed. A "pragmatist" free government might, for instance, agree to extradition in well documented cases involving accusations of murder or torture. Even "purist" free governments would probably find some ways to deal indirectly with states via "pragmatist" free government intermediaries.

Some states will be totally opportunistic, taking no real philosophical position about the free community but rather doing whatever seems to serve its own interests. These would likely be treated on a case-by-case basis by "pragmatist" free governments. But opportunist states, while they may offer more liberal relations in some ways, would not be as trustworthy as states who could be counted on to stick to some principles (even immoral principles). Yet the move from opportunism to libertarianism may be the easiest for many statist, ideologically. Some free governments may choose to deal with the opportunists as a missionary exercise. Virtual free governments would have an especially lucrative opportunity in opportunist states' black markets—and might have a good chance to subvert the opportunists into libertarian ways.

Some states will decide to give open support to the free community in at least some ways. I cannot see how a full endorsement of the free nation's principles could be given by any traditional state, however. Consequently, relations would probably be a bit stiff at times, where the "liberal" states are conscripting their own citizens. I suspect that despite an official tolerance, these liberal states would have an especially difficult time with libertarian missionaries and virtual free governments. The liberals might wish to strictly segregate free government interactions into "approved" and "disapproved" behaviors, just to keep the "corruption" under control.

Long-Run Trends

I believe that as we move towards the future, humans will increasingly choose to interact in free communities with or without free governments. I suspect that ultimately, virtual free governments will be the best choice for most people. But in a world of free choice, it is likely that at least some individuals will choose to live in some kind of "voluntary statism," where they mimic as best they can the "good old days" when a central organization could conscript citizens. Evolutionary pressures rarely wipe out all traces of previous evolutionary forms. After all, there are still egg-laying mammals. But these "states" will be little islands of curiosity in a sea of freedom. So most "inter-community" relations will be between free communities.

Where few non-voluntary relations occur, inter-community relations will be more efforts to accommodate differing lifestyles which need to or choose to contact one another. "Diplomacy" as we understand it—communication by politicians trying to assess and avoid the possibilities for serious conflict—may not occur except in very rare circumstances. International relations may be much more about exploring cultural differences or new technologies. So they may in fact be more about relations between "nations" than about relations between "states" after all.△

Phil Jacobson has been an activist and student of liberty in North Carolina since the early 1970s. For a living he sells used books, used CDs, and used video games.

Natural Government versus Artificial Government

by Jack W. Coxe

The fact that people naturally resist the offensive actions of each other, generates a natural motive to cooperate. If I try to punch you in the nose, you will most likely resist. I foresee the likelihood of your resistance, and your resistance would most likely be an obstacle to whatever I am trying to do. Therefore, in order to avoid having to deal with your resistance, I have a natural reason to refrain from punching you in the nose.

And so to avoid the obstacle posed by our resistance to each other's offensive action, is a natural reason for people to cooperate. We naturally seek to avoid offending each other, and the only way to avoid offensive action is to cooperate.

Yet, some people might happen to be bullies, seeming to be able to overpower the resistance of most other people, and therefore not worrying about it. And so, in effort to defend ourselves against bullies, we might desire to band together to overpower the bullies. And, in keeping with our natural desire to cooperate, we might organize some form of government in effort to provide readily available defense against bullies; to define bullies; to enable us to know which kinds of actions are acceptable and which are not; to enable us to thereby predict to a degree how each other might act or react; and thereby to enable a somewhat defined space of free action for each other.

This is the appeal of government, which is in effect our agreed-on procedure for the use of coercion. But there is a trap. In order to explain it, I will define some terms.

If the prevailing agreement in a society recognizes the occupant of a certain position as having the authority to use coercion, then I will refer to that position as a position of power. If options exist within a society such that a person might deliberately become an occupant of a position of power, or apply pressure to the occupant of a position of power, I will refer to that position of power as a controllable position of power. If the occupants of positions of power enact

laws which people might deliberately use to cause other people to act in ways that they might not otherwise act, then I will refer to those laws as manipulatable procedures for the use of coercion. Any system which involves controllable positions of power and manipulatable procedures for the use of coercion, is an artificial government. The principle of natural government will be explained in this article.

The key words in the above paragraph—*controllable* and *manipulatable*—are words which automatically divide society into opposing factions. If one person deliberately coerces another by controlling or manipulating the agreed-on procedures to coerce, then obviously other people are thereby coerced. Therefore, every person, depending on the power-struggling options available to that person, might be able to make his estimate of personal gains by making use of the agreed-on procedures for coercion. And every person is vulnerable to being thereby coerced.

Therefore, every person has reason to, in some degree, struggle with other people who are trying to coerce him. This is the power struggle. Methods of struggling for power include among other things, campaigns for election, lobbies, pressure groups, law suits, knowing the law, and simply abiding by the law in order to minimize the aggressive interference of those who make and enforce the laws.

Many people—maybe most people—might prefer not to struggle for power. But if procedures for coercion are manipulatable, then being vulnerable to legal coercion is an unavoidable fact of life. Many or maybe most people might not even realize that many things that they routinely do are power-struggling efforts to manipulate the coerciveness of law.

When people compete or conflict with each other, the most energetic, resourceful, and dedicated people are likely to emerge successful at the expense of others. Similar to a sports contest, power struggles breed skillful strugglers who thereby gain more power to coerce while others lose. As that happens, the stakes get higher, since the threat of coercion increases in people's lives. And when the stakes get higher, people have reason to sacrifice a little

more of their reluctance to struggle for power.

Thus, the power struggle escalates. Some people resort to more extreme methods of struggling for power. People who would prefer to be law-abiding citizens, might feel compelled to bend the law or violate laws in ways that seem minor. Deceit, demonstrations, riots, blackmail, and conspiracy become more attractive options for some of the more dedicated power-strugglers.

No matter what the reason might be for a person to struggle for power, the motives logically deduced in the above paragraphs apply. While some people might struggle for power strictly for their own personal gain, others might struggle for the sake of ideals that they honestly believe in—such as helping poor or disadvantaged people, protecting our environment, or taking power away from their estimate of evil power-strugglers. Thus, power-struggling can be made to appear as very honorable, benevolent, and noble, as well as selfish, arrogant, inconsiderate, and all-around evil.

The whole point is that power struggles are enabled and motivated by the agreed-on existence of controllable positions of power, and manipulatable procedures for the deliberate use of coercion. This man-made motive to struggle for power thereby persists in opposition to our natural motive to cooperate. Our natural motive to cooperate slows down the escalation of the power struggle, blurs the distinction between true agreement and coerced agreement, and deceives many into assuming the necessity of deliberately manipulatable government coercion.

The purpose of our agreement on controllable positions of power, was to overpower bullies. But the effect was to enable bullies to become more sophisticated and establish themselves, and to think of themselves, as law-abiding citizens. All they had to do was become skillful at controlling or pressuring positions of power and manipulating the agreed-on procedures to coerce. And so that is the trap—controllable, manipulatable procedures for coercion defeat their own purpose and end up institutionalizing coercive bullies.

But logically, there is a simple way to avoid the trap. All we need to do is remain true to our natural inclination to

resist offensive action. To overpower bullies, we can band together. But there is no reason why we must agree on controllable positions of power, or manipulatable procedures to coerce.

We could remove control from positions of power by selecting arbiters completely at random, for each individual case of offense. And we could remove all manipulability of coercive procedures by refraining from imposing any kind of man-made limits on the decision-making authority of the arbiters.

The seemingly unlimited authority for randomly chosen arbiters will probably at first appear very dangerous to anyone who understands the idea of a limited constitutional republic. But if you continue to follow the logic, you might discover that in a "random arbiter system," the natural circumstances of man on earth provide infinitely greater, more accurate, and incorruptible limits on everyone's authority to coerce—including arbiters and police—than any deliberately arranged limit that man could devise.

The key to understanding a random arbiter system is to realize that arbitration would **NOT** be considered the source of justice, nor would it be considered of any value at all except in cases where the offender seems so obviously wrong that it is worth gambling that almost any randomly chosen arbiter would sympathize with the person who called for arbitration. Random arbitration would be considered a very reluctant last resort. The source of true justice and fairness would be **everyone's reason to avoid** being called for arbitration; and the only way to avoid it would be to avoid offending anyone in any way—thereby avoiding giving anyone reason to call for arbitration. "Agree with thine adversary quickly," and thereby avoid uncontrollable coercive arbitration.

Please imagine a random arbiter system. It might work something like this:

Any person—no matter what status, race, gender, faith, age—anyone, no matter who, could call for random arbitration for any reason—any reason whatsoever. No one would be immune to the possibility of being called for arbitration—not even the police or the arbiters themselves. Note that any effort to establish qualifications of any kind would constitute a manipulatable procedure for the

deliberate use of coercion. And so to avoid that trap, there must be no option for anyone to impose any kind of qualifications on who can call or be called for arbitration, or for what reason.

Whenever someone calls for arbitration between himself and an adversary, the prevailing agreement would be that he and his adversary would be coercively compelled to submit to arbitration. Anyone could then act as a policeman by exercising this authority to coerce. But if anyone alleges that a policeman abused this authority, then anyone could call for another random arbitration to deal with this alleged abuse. This way, in order to avoid giving anyone reason to call them for arbitration, everyone would have every reason to act as absolutely reasonable as they knew how, while exercising police authority.

If at any time before, during, or after the arbitration, the adversaries succeed in arriving at their own mutual agreement of any kind, then the case would be closed, the arbiters would go home, and any decision they might have made would no longer be binding. This preserves the purpose of the system—to motivate true voluntary agreement—and not to enthrone anyone with coercive power.

There would be an agreed-on procedure for selecting at random a panel of arbiters. I like the number 7, and so I suggest 7 randomly chosen arbiters. There must be no screening of any kind, since such screening would fall in the manipulation trap. Someone would have to supervise the random selection. But anyone could observe and verify the total randomness of the selection.

Once selected, the arbiters could conduct their case in whatever way they choose, seek advice from anyone they choose, and make any decision they choose. There might need to be a time limit, so that the case doesn't go on forever. I suggest 7 days. There would also have to be some kind of incontestable limit on the number of people subject to a particular panel of random arbiters, and the decision of the arbiters would have to be limited to an incontestable period of time. Otherwise, a panel of arbiters could defeat the system by declaring laws applicable to everyone indefinitely. I suggest that a panel of arbiters could make a decision affecting

a maximum of 50 people of their own choosing, for a time period of 6 months.

It would be clearly understood by everyone that after the arbiters have finished their case, they will no longer be arbiters. And most important, if anyone suspects that the arbiters in any way abused their authority while they were arbiters, then anyone could call for a new arbitration, randomly selecting 7 new arbiters, to investigate and settle the allegation that the former arbiters abused their temporary authority. This preserves the principle that no one—not even the arbiters while they are arbiters—can escape the natural need to avoid offending anyone else.

There would be no instructions from a judge, no rules of precedent, no laws of any kind to place any man-made limits on the decision of the arbiters. But the natural limits imposed by our natural need to avoid offending anyone, would compel the arbiters, for their own protection, to truly seek whatever advice they need, to make a decision that no one could reasonably construe to be an abuse of their authority.

If you tried to bribe the arbiters, the arbiters having unlimited man-made authority could penalize you. Legally, the arbiters could not only take your bribe, but could take every penny you own and lock you up in prison. But in practice, the arbiters would have every reason to be as careful as they could, to make sure that whatever they did, did not induce someone to allege that they abused their power. They would therefore have reason to expose your attempted bribe, and impose some reasonable penalty on you.

By refraining from making any man-made limits on the authority of the arbiters, the following goals are accomplished:

- No person, no matter how intimidating, would be able to pressure the arbiters in any way, since the arbiters would have unlimited legal authority to penalize any such attempt to pressure. This avoids the trap of the arbiters being in a controllable position of power.

- No lawmaker could pressure or control the arbiters by placing any legal limits on their authority. This avoids the trap of either the arbiters or the lawmakers being in controllable positions of power.
- There would be no laws or rules of precedent for lawyers to manipulate, thereby avoiding the trap of manipulatable procedures to coerce.
- The arbiters would be motivated to freely and honestly seek the most universally agreeable decision possible, thereby preserving our natural need to cooperate with true agreement.

The effect of this system would be that the option to call for coercive arbitration would be completely uncontrollable. The outcome of a call for arbitration would be only as predictable as we can predict what a random selection of people would think to be reasonable, just, and fair. The motive, therefore, would be for everyone to make sincere efforts to communicate and agree on what is reasonable, just, and fair. This motive, completely compatible with our natural motive to cooperate, and completely compatible with our highest aspirations, would not be countered by any man-made motive to struggle for power, since the option to seek power would not exist. This singleness of our motive—our natural motive to cooperate—would enable progress towards harmonious life, without coercion, and without wasting energy and resources on power struggles.

No one can say for sure exactly what agreements people might make concerning such issues as homelessness, environmental protection, poverty, discrimination, and so on. But if you can imagine yourself in a system where the only alternative to honest, genuine, sincere agreement with all adversaries would be to endure coercive arbitration by uncontrollable arbiters, then the many good ideas that you might have had from time to time might seem much more realistic. Instead of having to enter politics as a power-struggler, all you would have to do is show the value of your ideas to people who are in the same boat as you—seeking true agreement in order to avoid uncontrollable arbitration. And

you would most likely be much more willing to consider the ideas of other people. This is NATURAL GOVERNMENT—our true seeking of true agreement in order to avoid the naturally imposed resistance to all offensive action.

In summary, the existence of controllable positions of power and manipulatable procedures for the use of coercion, motivate people to oppose each other in power struggles. No matter how benevolent a power-struggler might be, any participation in the power struggle further fuels it. Power struggles counter our natural motive to cooperate. As the power struggle escalates, the stakes get higher, and people sacrifice more of their natural scruples. Honesty becomes a handicap in the power struggle, and almost everyone gets drawn into it, knowingly or unknowingly, in varying degrees.

The solution is to build an agreement to remove all controllability and manipulability from the option to coerce, thereby allowing natural government—our natural need to quickly agree with all adversaries—to take over and motivate all cooperation. This can be done by establishing the option for anyone to call for coercive arbitration for any reason, and then selecting the arbiters completely at random and refraining from trying to counterfeit our natural limits on the authority of the randomly selected arbiters.

Being completely uncontrollable, the option to call for random arbitration would be useless except in obvious self-defense. Everyone, including arbiters and policemen, would be faced with the perpetual choice: either agree quickly with all adversaries, or risk becoming subject to the coercive arbitration of uncontrollable arbiters. This single unopposed motive would induce us to make whatever cooperative agreements are needed to enable us to live together without offending each other.

Before we could agree on a random arbiter system, many practical details would have to be worked out. I hope this article might start some debate on the principle and application of a random arbiter system.△

[A note from Rich Hammer: Jack Cox responded to my request for a biographic sketch with the following paragraphs. Finding it all to be of interest, I include it, and invite our other writers to tell more of themselves in their biographic sketches.]

I am 51 years old, born in Salt Lake City, raised mostly in Sacramento, and now live near Ione, California. I majored in government, and minored in economics at Sacramento State College and have a BA degree. I have forgotten most of what I learned in school. I read very slow and therefore very little and have below average general knowledge. I spend most of my spare time reasoning and figuring things out. As I said, the ideas in this article stand by themselves for whatever they are worth, and I as a person would rather not be thought of as their author.

I have a wife, a son 22, and a daughter 20. I work mostly alone as a cement contractor, having taken over my dad's business.

I never smoked, never drank, don't like coffee and don't eat meat. I was raised as a Christian Scientist, and although I never joined the church organization, I still consider myself in agreement with what I understand Christian Science to be. I believe all religions boil down to the same thing. I have never been in trouble with the law, except for some minor traffic violations.

The Good News: TYRANTS ALWAYS FALL

When I despair, I remember that all through history the way of truth and love has always won. There have been tyrants and murderers, and for a time they can seem invincible. But in the end they always fall. Think of it. Always.

Mohandas K. Gandhi

The Bad News:

It seems almost impossible to get other libertarians to see the power which this simple truth places into our hands—power to free ourselves.

by Richard O. Hammer

Recently I have used a radical-sounding little sentence, "might makes right," to summarize a view I have formed about human affairs. Stimulated by Roderick Long, who has questioned what I mean¹, I will revisit, and add to, the arguments I first presented two years ago.²

Let me tell that two world events during the past decade startled me and started me thinking in this direction. These events were the fall of the Soviet Union and the retreat of the Vietnamese government from communism. The second event was especially meaningful to me because I spent a year in Vietnam as a soldier. I survived, as a consequence of both planning and luck. All of my best friends also survived, thank heaven. But perhaps eight of my acquaintances from high school died in that war.

As history unfolded, the U.S. retreated from Vietnam. It looked for a time that the U.S. interest in that war had lost. But then communism collapsed of its own accord. What startled me was what this collapse implied: that the U.S. war effort had been absolutely unnecessary. If the political leaders who had gotten the U.S. into that war had been able to see into the future, they never would have thrown away 50,000 American lives. The right side was fated to win, in any case, within three decades.

Let me make a statement here. See if you agree with it.

During the troubled years of debate over the U.S. involvement in Vietnam, anyone who had really believed in free markets would have known, with calm certainty, both that communism must impoverish itself and that any communist regime, including one which might set itself up in Vietnam, must be short lived.

But, in my memory, no one spoke that message during those years. No one in the public scene, including pro-capitalist hawks like Nixon and Reagan, believed—that much—in free markets.

But there it is. History has spoken. Free markets have might—and they have even more might than their advocates suspected. Free markets have enough might to win their own wars in the long run.

This realization fed into my "might makes right" thinking.

Do you believe in free markets? Do you believe—that much—in free markets? If so, I propose that you will see the unnecessary wastefulness of the convince-your-neighbor war for liberty, now being fought by most libertarians on the battlefield of democratic public policy. You will invest instead, as heavily as I have, in either the Free Nation Foundation or some other direct approach to constituting a new, free nation.

Norms Derive from Fact

In Roderick's challenge to my argument he divides rights into two categories, descriptive and normative. (Descriptive rights being those that are really enforced and therefore really exist. Normative rights being those that someone would say should exist, independent of whether they are really enforced.) He agrees with me that might makes descriptive rights, but challenges the notion that might makes normative rights.

For an example, Roderick suggests that if someone steals his jacket then, having lost de facto use of his jacket, he has lost a descriptive right—but he retains the normative right, as he should have his jacket. Roderick argues that this shows the existence of a normative right not created by might because, in this example, someone else has his jacket.

But I never said that a right is always enforced, in every case. Of course there will be instances of rights which are violated. But, I argue, Roderick has a normative right to his jacket just because he lives in a society which literally enforces that sort of right—not in every case, but often enough and with enough force that would-be thieves are almost always discouraged.

Roderick seems to write about normative rights as though they exist, like rocks, apart from people who claim these rights. But I believe we can examine a normative right intelligently only if we also consider who claims the existence of this right. There will always be people who claim a "should be" right but who are unable to obtain enough consensus to bring about common enforcement of the claim.

For example, Roderick might claim a right, not only to a particular jacket, but also to his favorite parking space near the door at the shopping mall. When we ask who (and with how much social force in reserve) makes a claim, and contrast this with who (and with how much social force in reserve) scoffs at this claim, then, I assert, we are looking at the foundation of rights.

And this applies to both normative and descriptive rights. My point is to show the relation, the transition, between descriptive and normative rights. I find that Bruno Leoni offers support for this line of thinking. He explains that the concept of law originates in usual experience. What probably will happen tends to become law.³

I would not divide rights, as does Roderick, into the categories "descriptive" and "normative," although I hope I understand well enough what he is saying to enable me to have answered his objection. For the sake of discussion, consider a model which uses not a binary division, but a continuous gradation.

Let us consider a scale of percentage, 0 to 100, which tells how likely a claimant is to get what he or she wants. The 100% end of the scale would equate to certainty, to descriptive rights. The 0% end would equate to hopeless wishes. Between the two ends we have the whole range of claims, from futile to certain.

Now, one of the main things that determines whether a claim succeeds is the amount of force that can be marshaled in defense of the claim. And for each of us, the source of the greatest force, which we can tap in defense of our claims, is our friends, family and larger society. If we feel confident that most of our friends, and most people in the larger society, would back up our claim, then I would say, we are justified in naming that claim a "right."

Now somewhere on the scale there will be a band of dispute about labels. For the sake of discussion, I might suppose that this band lies between 40 and 80%. Above the band lie undisputed rights. Below it lie wishes which no one labels as "rights." But within the band exists the whole debate about what is, and is not, a "right." For example, the claim that fetuses have rights falls in this band.

Considering, once again, Roderick's stolen jacket, I would say Roderick has a right, of rank 99% or better, to his jacket. Alas, as occasional experience will show, there remains a difference between 99% and 100%. But since this is a 99% claim, it is not idle, as a 10% claim might be. It is likely that Roderick can find empathetic help, from friends, the police, or insurance, which he could not expect to find for a 10% claim.

The Edges of Morality. Who Gets Rights?

For most of my life, during which I was not devoting much thought to the subject of rights, I lived with an unresolved dilemma in my picture of rights. This dilemma was called into focus by the question: Which other animals is it acceptable for me to kill and eat?

I lived with the answer that I could kill and eat non-human animals. I knew that debate existed about whether I should eat some animals, such as porpoises and apes, which elicit more empathy from humans than other animals, but I felt no quandary about this because I never ate any of those anyhow. I thought, if ever I was pressed to take a stand, to state where the line was, I would place my line at the biologically-defined border of my species.

But this always seemed a little arbitrary to me. Cannibals and vegetarians have existed. And if I press myself to be open minded I find that I can justify, within a certain framework, farfetched norms.

So I lived with my not-very-well-examined assumption that rights extend to other members of my species. And I got along well enough, because that seems to be approximately the assumption made by most people who might successfully harass me should I adopt a different standard.

But as I started wondering about the possibility that rights grow from might more than from other sources, and as I looked again, in this new light, at my earlier assumption that rights extended to the edge of my species—I broke into a cold sweat. More than once I broke into a cold sweat. Under the might-makes-right theory there is not necessarily any correlation between the natural extent of rights and the natural extent of the species. This is scary. It seems, at first, to threaten values which I cherish as part of my self-image as an honorable person. If might indeed makes right, what secures my or anybody else's safety? What secures my idea of rectitude?

The answer which I invite you to consider is this: you and I can fight.

How would you answer this question: What creature, among all that have roamed the Earth, is the most violent and effective fighter?

I answer: the human being.

It may not be pretty, but there it is. Humans, when pressed to it, make nasty weapons. Pigs do not. We have rights, pigs do not. We eat pigs for supper, and not the other way around.

Rarely, actually, do we humans have to fight, among ourselves at least. Almost all of us, almost all of the time, recognize that we can advance our ends more successfully through cooperation than through coercion.

We are also helped, in our fight to secure our most cherished claims, by our propensity to organize. If any danger to our well being presents itself in any regular pattern, we communicate about it, and organize a response. We have gotten so good at this that almost all fighting is done for us by specialists, professional police forces, for relatively minor expense.

I have gotten past the cold sweats now. I sleep secure at night knowing that:

- (1) I am one instance of a species of mean fighting machines;
- (2) I can get along quite satisfactorily with other instances of that species of mean machines;
- (3) Anything that comes at us, threatening what we in community agree to be our rights, better be God, or about that good, or we will cook its behind.

Furthermore, I know that I am more useful to other people if they win rather than force my cooperation. And I know that they know that (except, notably, for the errors of statism) enough to enable me to work with them in most instances.

I had better repeat here that rights, in this theory, do not extend to only those individuals who are capable of mounting a nasty fight, that is the wealthy, healthy, and strong, but also to every other person, animal or thing which has sympathy from a sufficiently-large pool of the wealthy, healthy, and strong. Our loved ones, our pets, and our property generally, are secure because, and to the extent that, a critical mass of people would lend empathetic support to enforcement of this security.

The Nazi Counter Example

One reply to the might-makes-right thesis concerns the Nazis. I have heard this at least a few times from people who, it seems to me, have not understood my point. These people suggest that if I think might makes right then I must sympathize with the evil wrought by the Nazis. But no. It seems to me it must be the other way around.

The history which I was taught tells that the Nazis got crushed, by superior might. I think of the overall history of W.W.II and think, "might makes right." If that displeases you, which side are you on?

Conclusion

Look at the overall course of human history and see the phenomenal multiplication in human rights. Not only are there more people than before, but also, because of increased wealth, we enjoy more rights per person. Something is going on here. There is a great trend, more mighty, evidently, than all tyrants who have ever reigned.

Surely, once we comprehend this trend, we can find ways to tap its energy in little increments. These increments will be just the right size to secure our rights day to day, transaction to transaction.

The positive trend in human history, it is true, has occasional reverses. Sometimes jackets get stolen. Sometimes tyrants reign. These reverses show only that we have not yet discovered the pattern, assuming one exists, which underlies the reverses, and organized effective response.

When we comprehend, and communicate successfully, the pattern which underlies the evil of the state, then we will defeat it. The might is there, waiting for us to tap it. With it we can make right. Join us.△

Notes:

1 Roderick T. Long, "The Nature of Law, Part IV: The Basis of Natural Law," *Formulations*, Vol. IV, No. 2 (Winter 1996-97), p. 18.

2 Richard O. Hammer "Might Makes Right: An Observation and a Tool," *Formulations*, Vol. III, No. 1 (Autumn 1995).

3 See the chapter titled "The Law as Individual Claim" in *The Law and Politics*. This has been appended to, and appears in, *Freedom and the Law*, by Bruno Leoni, expanded third edition, Liberty Fund, 1991, pp. 189-203.

Protective Coloration

(Continued from page 3)

This is not a head-in-the-sands policy, but a counsel of self-discipline. It is essential to know the enemy well—even better, if possible, than it knows itself. The wise man of Galilee put it: "Be ye wise as serpents...and harmless as doves." The world's first "free nation" will take on its appropriate plumage in its own good time as it matures, and its natural enemies will disappear—absorbed into legitimate work. But its birth nest mustn't be obvious. If the babe is drawn prematurely into defending itself, then even if it is not overwhelmed from without, it may contract the virus and be subverted from within. It will, after all, be young, inexperienced, and susceptible.

That's not to say that all would be lost, for there could be other beginnings. That is in the nature of social evolution. But failure often discredits a new idea and makes further efforts along the same line more difficult. Let's take no foolhardy chances, therefore. Let's play it close to our chest as the mother bird does with her eggs and her young. Let us follow, and follow carefully, nature's successful strategy of protective coloration—a strategy long and well established among her surviving species.△

Note:

1 *The Incredible Bread Machine*. Dick Grant, 1411 3rd St, Manhattan Beach CA 90266; 310-379-3162.

Spencer Heath MacCallum is a theoretical anthropologist and writer living with his wife/colleague, Emalie MacCallum, in Tonopah, Nevada, where together they direct the Heather Foundation.

The Foundation among other things is dedicated to furthering understanding of society as an evolving natural phenomenon of spontaneously patterned cooperation among freely-acting individuals. It views taxation and other institutionalized coercions as evidence of insufficient development of social organization, a condition to be outgrown rather than overthrown.

The Foundation also administers the intellectual estates of persons who contributed to this perspective, such as Spencer Heath and E.C. Riegel. Areas of focus include philosophy of science; monetary theory and alternative money systems; the institution of property in land as it relates to community organization; the societal implications of risk sharing (insurance); and the inspirational aspect of religion and the esthetic arts.

The Role of Non-Governmental Actors in Shaping and Implementing Foreign Policy in a "Free Nation"

by

Gordon Neal Diem

Numerous non-governmental actors currently play important roles in shaping and implementing national foreign policy in the "big government" nations of the world. In a future "free nation"—a nation with a minimal government—these actors increase in importance and become the singular determinants of, and implementers of, foreign policy for the "free nation."

In "big government" nations, government actors play a major role in shaping and implementing foreign policy. Elected legislators and executives make policy, then rely on government military forces, domestic and international government courts, inter-government treaties and alliances, and government foreign service officers to implement those policies. But, there are many lesser known and lesser understood non-governmental actors who also play important roles in shaping and implementing foreign policy.

Non-governmental actors important in foreign policy include the media, business community, banking and financial management systems, non-governmental independent organizations, the clergy, national citizens living and traveling abroad, and the general public.

The Role of Media in Foreign Policy

Newspapers and the electronic media shape public opinion concerning foreign nations and foreign affairs through their news reporting, and information gathering and dissemination activities. In a "big government" nation, the media operates both in cooperation with, and at variance with, government officials, politicians and the professional foreign service. The media sometimes promotes official government policy, disseminates

official information and provides credibility to government officials and government policy. Other times the media contradicts government officials, official government policy and official informa-



Gordon Diem

tion. Critics contend the media is often reactive in foreign policy, rather than proactive; the media allows government to set the foreign policy agenda and to focus attention of specific foreign policy issues and targeted nations. Critics contend the media should investigate, report, and comment on foreign affairs independent of government leadership.

In a "free nation," the media is free of government leadership, and is more likely to act independently and proactively. The media in a "free nation" plays an important role in shaping public opinion about foreign policy issues, events and personalities, and in shaping public opinion regarding the nations and people of the world.

The Role of Business in Foreign Policy

The national business community bestows both blessings and sanctions on foreign nations through power over the supply and demand for resources and finished goods and services, and over the international flow of funds, information, technology, and capital. The business impact of current multi-national corporations and the combined impact of individual domestic manufacturing, marketing, and trading companies rivals the

current impact of government foreign aid and assistance.

The impact of the business community on both foreign governments and foreign peoples remains in a "free nation" even after the impact of government withers away. Publicly held (stock) corporations and privately held corporations, partnerships and proprietorships conduct international business which furthers both the economic interests and foreign policy interests of the owners of business, and the citizens of the "free nation."

The Role of Banking in Foreign Policy

The international banking and financial management system supports government policy through loans to developing nations for infrastructure and industrial development, loans for humanitarian activities, loans to foreign businesses and foreign governments in support of international trade, debt restructuring, debt "forgiveness," exchange-rate management, and a host of other operations. Government encourages, sanctions, or bars international banking and financial activities through tax incentives, trade laws, and direct regulation.

In a "free nation," banking and financial management companies further their own corporate interests in the international flow of funds, and, in the process, shape some of the foreign policy for the "free nation."

The Role of the NGOs in Foreign Policy

Non-governmental independent philanthropic organizations (NGOs) express national humanitarian interests and concerns by transferring funds, ideas, technology, manpower, and material aid to nations and peoples deemed in need of support, and worthy of support. NGOs also withhold these resources from nations and peoples deemed unworthy. In the current era of "big government," NGOs work both in support of government policies and programs and, occasionally, in contradiction to those policies and programs. In the latter capacity, NGOs serve as an avenue for expressing public concerns at variance with official government policy; through NGOs, individual citizens support nations, peoples, issues and causes the individuals choose to support, even if official government

policy is to withhold support. However, critics claim, like the media, NGOs tend to react to government actions and policies and submit to governmental leadership rather than pursuing an independent course to identify foreign needs and provide avenues for the public to express its independent humanitarian concerns.

In a "free nation," NGOs serve as avenues for individual citizens and organized interest groups to pursue humanitarian and public policy interests around the globe. Some NGOs are temporary organizations responding to an immediate need or concern. Other NGOs are permanent, on-going institutions (e.g. the Red Cross) which provide long-term continuity for the foreign policy of the "free nation" and help the nation maintain a permanent presence in foreign nations. One, or more, of the permanent NGOs will assume many of the functions currently performed by government-run embassies and consulates, providing support for "free nation" citizens traveling abroad, serving as information centers for foreign businesses, providing advice to leaders of foreign governments, assisting foreign nationals seeking "free nation" citizenship, and serving a variety of other functions.

The Role of the Clergy in Foreign Policy

Clergy express both the humanitarian and spiritual concerns of their nations and their congregations, transferring resources to needy and deserving nations and peoples, and promoting specific religious ideals and values around the world. Clergy, and the religious organizations which support them, act much like other non-governmental independent organizations, but with an added twist. The clergy couple their humanitarianism with a spiritual and moral mission.

In a "free nation," clerical proselytizing concerning ideals and values increases as a foreign policy activity, with both traditional clergy and secular philosophers traveling the world promoting particular points of view.

The Role of the Traveling Public in Foreign Policy

National citizens living and traveling abroad each play a role in shaping foreign policy. These citizens play a major role in information transfer; they provide

information to their visited nations concerning their home nation, and bring information about visited nations back to fellow citizens in the home nation. Travelers serve as alternative information sources to official government sources and the media. Travelers also spend money, promote causes, and encourage inter-cultural understanding as they move throughout the globe.

In a "free nation," the role and influence of travelers in information transfer, the flow of funds and the dissemination of values, policies and cultural artifacts increases.

The Role of Individual Citizens in Foreign Policy

Finally, the mass public shapes and implements foreign policy indirectly through its influence on government leaders, non-governmental organizations, businesses and religious organizations, and the media. In "big government" nations, the government limits its citizens' direct personal action in foreign affairs. Governments use tax codes, passport and visa controls, import and export licenses, business law, criminal statutes, and the power to revoke citizenship as tools to severely restrict the rights of their citizens to engage in direct citizen-to-foreign-government activity, or to intervene directly in the politics and domestic affairs of foreign nations. Governments also restrict the activities of businesses, banks, the media, clerics and NGOs.

In a "free nation," current government restrictions on citizen action in foreign affairs are abolished, allowing citizens to provide direct financial, material and manpower support to foreign nations, and chosen groups and individuals within those nations. Citizens enter politics in foreign nations, hold administrative and legislative posts in foreign nations, join foreign military organizations, operate businesses and industries in foreign nations, and provide active support to anti-government dissident and rebel forces. Citizens of a "free nation" are free to pursue their individual foreign policy objectives free of limit or harassment by government. Businesses, banks, the media, clerics and NGOs are also free to pursue their foreign policy objectives free of limit or harassment by government.

Citizens Shape the Foreign Policy of the "Free Nation"

The foreign policy of a "free nation" is shaped, not by government, but by the individual citizens of the "free nation." As travelers or business people, citizens express their individual interests and concerns as they travel or conduct business. As members of non-governmental organizations, religious organizations, and corporations, they express their collective concerns. In some instances, citizens of the "free nation" find themselves working at cross purposes with each other; some citizens pursue objectives that benefit themselves but harm the interests of fellow citizens. But, for the most part, the common values, beliefs and interests binding the citizens of the "free nation" together as a nation, also provide a common foundation for their foreign policy decisions.

The cumulative effect of this individual and collective action is the establishment of a more or less coherent and rational foreign policy for the "free nation," a foreign policy that more directly and succinctly reflects the true interests of the citizens of a "free nation" than any government or system of representative democratic decision-making ever could.

Since the foreign policy of the "free nation" is developed by individual citizens, acting alone or collectively, rather than by a centralized government structure, the foreign policy reflects individual concerns rather than government concerns. Foreign policy in "big government" nations is based on considerations of "balance of power," national security, geopolitics, government administrative and bureaucratic infighting, and defense of allied nations. Foreign policy in a "free nation" is based on personal values, personal beliefs, personal self-interest, peaceful settlement of disputes, and a significant degree of insularity and isolation from the "big government" nations of the world.

Even the tools used in the conduct of foreign policy are different. "Big government" nations rely heavily on military power, treaties, international collective security arrangements, international forums (e.g. the United Nations), and national spies and agents. The "free nation" is unable to field a military machine and has little use for spies and agents.

(Concluded on page 38)

A Paper Tiger for a Free Nation

by Roy Halliday

Introduction

In a free world there would be no borders between nations, and the idea of foreign policy would make no sense. As Murray Rothbard said:

In a purely libertarian world, therefore, there would be no "foreign policy" because there would be no States, no governments with a monopoly of coercion over particular territorial areas.¹

For a free nation, foreign policy is an issue only with regard to states that use force to control what crosses their borders. Unfortunately, the entire world is now divided among coercive states that monopolize crime within their domains, and the hypothetical part of this issue is the idea of a free nation.

If a free nation were to arise, it would initially have to develop a foreign policy to deal with the rest of the world, which would still be controlled by various states. But how can a free nation have a foreign policy? Doesn't the very idea of a foreign policy imply that there is a government of some sort that has a monopoly on foreign policy? In a free nation, how could a government get such a monopoly without violating the rights of those who live in the free nation and thereby making the nation unfree?

Individualism is so fundamental to the way my brain perceives human action that I have difficulty attaching any meaning to a question such as: "What should be the foreign policy of a free nation?" My defective brain wonders how a nation (free or otherwise) can have any policy (foreign or domestic). A policy presupposes a brain. Individual people have brains and so they can have policies. But a nation does not have a brain that it could use to develop a policy.

I have to force myself to unpack the assumptions that are built into this question so that I can attach meaning to it. The question implies that a free nation can have only one foreign policy at any time. How could this even be possible?

The individual citizens of a free nation would be independent thinkers who would be likely to have diverse opinions about the kinds of interactions they want to have with foreigners. So, for a free



Roy Halliday

nation to have a unitary foreign policy there would have to be some method of sifting through, weeding out, or reconciling the foreign policies of the individual citizens, settling on a single policy, announcing it to the world, and implementing it. There would have to be unique individuals or organizations in the free nation that would perform these functions and they would have to be recognized as the official authorities on the foreign policy of the free nation to the exclusion of all other individuals and organizations. Any other individuals or organizations in the free nation that announce and attempt to implement different foreign policies are, for some reason, not official and not authoritative, and they would have to be ignored so that the free nation could have only one foreign policy.

How can an individual or organization become the official, authoritative proponent of a single foreign policy for an entire nation? How can we distinguish the legitimate authority on foreign policy from illegitimate pretenders? How can we prevent those in the free nation who disagree with the official foreign policy from implementing an alternative, nonaggressive foreign policy?

Democratic theorists often exempt foreign policy from the arena of public deliberation and partisan politics. They give wide latitude to the executive branch of government in determining foreign policy, and they regard it as the patriotic duty of the opposing party to support the foreign policy of the commander-in-chief. Some reasons for this are: (1) The country must present a united front to the outside world so that commitments made by one administration can be expected to be upheld by succeeding administrations, regardless of party affiliation. (2) Some matters of foreign policy require secrecy to preserve national security, therefore, these matters cannot be debated in public and are best left to the judgment of the executive who has all the relevant information. (3) Sometimes decisions need to be made quickly without taking time to call the legislature together to discuss and vote on the issues. If democratic theorists are willing to sacrifice democracy in the interests of the nation, maybe libertarians should be willing to sacrifice some of their liberty for the good of the free nation.

Maybe libertarians should be willing to sacrifice some liberty, but we can't count on it, and it would be wrong to demand it. We need an alternative that doesn't depend on violating anyone's rights.

Creating a Paper Tiger

A nation that has an organization with a coercive monopoly on foreign policy is not a free nation. A free nation would tolerate competing organizations vying for recognition as the official agency for foreign policy. As long as none of these organizations initiates violence, they would be permitted to try to portray themselves as the official interface between the free nation and foreign governments. In libertarian theory, none of these organizations would have legitimate authority to speak for all the citizens of the free nation, and the inhabitants of the free nation could regard each and every one of them as imposters.

Although their claims may be no more than hot air, their false posturing may not be seen that way by the officials of foreign governments. It is these fools, rather than the people in the free nation, who need to be persuaded to grant recog-

dition to one of these competing paper tigers.

Suppose the free nation has two organizations competing to be the official interface to the outside world. Let's call them the Federal Republic of Neutral Territories (FRONT) and the Federation of Republics and Union of Democracies (FRAUD).² The FRONT and FRAUD organizations both want to be recognized by foreign governments as the official government of the free nation so that they can have diplomatic relations, negotiate treaties, exchange ambassadors, and so forth. They both want to be treated like governments, even though they are not criminal organizations that monopolize the use of force within the nation.

Neither organization could speak for all the people of the free nation, and neither might be able to persuade the independent citizens of the free nation that it is their agent. But that doesn't matter. The important thing to FRONT and FRAUD is to establish legitimacy in the eyes of foreign governments. One way this might be accomplished is to hold a national election.

FRONT and FRAUD could agree to abide by the results of an election, establish the election rules, appoint a neutral party to ensure the election is fair, and then campaign for their respective foreign-policy proposals (which would have to be non-threatening). This process would have no legal or moral standing in the free nation except as a private wager between FRONT and FRAUD. The loser would be obliged to give up its claim to be the government and would forfeit whatever else was stipulated in their agreement.

FRONT and FRAUD could run slates of candidates for the top executive offices within their organization such as prime minister and foreign secretary. To improve their chances of winning the election, FRONT and FRAUD could select candidates who look attractive and dignified, are good communicators, are well educated, worldly, and sophisticated, and have reputations for honesty and integrity. In their campaigns, FRONT and FRAUD would each try to persuade the public that it will present an image of the free nation to the outside world that will win respect and deter military attack.

To help establish legitimacy in the eyes of foreign governments, FRONT and FRAUD might draft constitutions that describe the purpose, structure, and bylaws of their pseudo-governments. The public, by voting for FRONT or FRAUD, would also be voting for the corresponding constitution. The constitutions could include words that define the general requirements of and restrictions on the organization's foreign policy. Then, if foreign powers raise objections to the foreign policy of the organization, FRONT or FRAUD could use its constitution to bolster its position. They could say to foreign powers that they cannot change their policy, because it would be unconstitutional. For some reason, this argument carries weight with statist.

The constitution should describe the purpose of the FRONT or FRAUD organization, which is to encourage the rest of the world to respect the rights and independence of the free nation and to maintain peaceful, friendly, and mutually beneficial relationships between the free nation and all other nations. The constitution could specify the means that FRONT or FRAUD will use to achieve its objective. All peaceful, nonaggressive, means are available. This is where the two organizations can exercise their ingenuity and creativity and distinguish themselves from each other.

Its constitution could define the internal structure of FRONT or FRAUD as an organization. The constitution could describe departments within the organization that specialize in different aspects of the overall mission. The State Department could be the diplomatic interface between the organization and foreign governments. The function of the State Department is the reason for the whole organization. All other departments are optional. The biggest threat to the free nation would be military attack by foreign states. This is why it is important to persuade foreign states to recognize the right of the free nation to exist. This is the job of the State Department.

Other departments might be useful in making FRONT or FRAUD appear to be bureaucratic and government-like. The more it resembles a government, the more acceptable it would be to foreign governments and the more likely those governments would be to recognize and accept it as a legitimate state.

Here are some possible departments and their missions. The Commerce Department could specialize in promoting the free nation as a desirable place to invest capital and as a good trading partner. The Disaster-Relief Department could promote the humanitarian image of the free nation by dispensing charitable contributions and medical aid to victims of natural disasters around the world. The Department of Immigration could advertise the freedoms and opportunities enjoyed by those who live in the free nation, and it could help new immigrants to find employment and housing. The Department of Public Health could gather data about alternative medicine and publicize successful medical treatments that are available only in the free nation. It could work with the Department of Immigration and the Department of Commerce to encourage chronically ill people, pharmaceutical companies, and medical practitioners to immigrate to and invest in the free nation. The Treasury Department could operate mints that manufacture and sell coins. (I recommend that the constitution include words that forbid the Treasury Department from issuing paper money and that specifically acknowledge the rights of all individuals and organizations to issue their own coins or certificates of deposit and to choose whatever medium of exchange they prefer.) The Postage-Stamp Department could print colorful "postage" stamps that promote a positive image of the free nation, and it could sell the stamps to collectors or to people who want to use them as decorations. (I recommend that the constitution include words that prohibit all branches of the government from actually delivering mail.) The Department of the Interior could accept donations of land to be used as national parks, and it could maintain these parks for the benefit of the public by using funds raised from usage fees.

One of the biggest problems for FRONT or FRAUD would be to diffuse the pressure from drug-law-addicted states to cooperate with their war against people who use narcotics. A primary concern of the people in a free nation would be to prevent a foreign power from taking over the country. Based on its history, the most likely power to invade a free nation would be the USA. The American government has demon-

strated that it has more tolerance for military dictators who cooperate with the war on drugs than it has for freedom. The problem would be compounded by the fact that a free nation would not only allow people to use drugs that are outlawed in other countries, it would also allow people to manufacture and sell such drugs, and it would treat the money earned by drug dealers as legitimate property that is worthy of protection. Consequently, a free nation could become a Mecca for drug lords. If this happens, the USA would be apt to conduct covert operations against the free nation or even launch a military invasion as it did in Panama. Even though their drug-dealing per se would not be treated as a crime in a free nation, drug lords should be regarded as potentially violent criminals who could threaten the existence of the free nation. They have great wealth, they have well-equipped military forces at their command, and they are prone to use violence without much regard to the rights of others. The outcome of the campaign between FRONT and FRAUD could depend on which organization offers the better solutions to the problems caused by the drug laws in other countries.

Suppose FRAUD wins the election. Then FRAUD could use this fact to support their claim to be the legitimate, popular government of the free nation. This argument would carry no weight within the free nation itself, but it might persuade foreign states to recognize FRAUD as the legitimate government. Then FRAUD would become the de facto interface between the free nation and those foreign states that grant recognition to FRAUD. In this way, an organization could become the de facto agent of the free nation to the rest of the world without violating anyone's rights.

Now the question is simply: What foreign policy should FRAUD implement for the free nation?

Paper Tiger Foreign Policy

Foreign policy, like any policy, involves taking steps to achieve objectives. So, to determine the foreign policy appropriate for a free nation, FRAUD needs to know what the objectives of the policy are and what means are available to achieve those objectives. The paramount objective of the foreign pol-

icy of a free nation must be to ensure that the nation remains free. Any foreign policy that would cause the nation to lose its freedom cannot be the policy of a free nation. This objective places some limits on the means that FRAUD can use to implement their foreign policy. They cannot appropriate the citizens' rights, because then the nation would not be free.

Let's consider what FRAUD might reasonably decide to do in several areas that are generally associated with a nation's foreign policy: defense alliances, wars of conquest, disarmament, aid to revolutionaries in other countries, immigration, emigration, extradition, foreign aid, and foreign trade.

Neutrality versus Defense Alliances:

The FRAUD government should not enter into any defense alliances with foreign states. Such alliances tend to make for larger wars. Instead, FRAUD should proclaim its neutrality in all inter-state wars and use whatever influence it has to promote freedom of the seas and the laws of neutrality to reduce the scope of warfare. As Murray Rothbard explained, the libertarian position is:

Clearly, to reduce the scope of assault of innocent civilians as much as possible. Old-fashioned international law had two excellent devices for this: the "laws of war," and the "laws of neutrality" or "neutral rights." The laws of neutrality are designed to keep any war that breaks out confined to the warring States themselves, without aggression against States or particularly the peoples of the other nations. Hence the importance of such ancient and now forgotten American principles as "freedom of the seas" or severe limitations upon the rights of warring States to blockade neutral trade with the enemy country. In short, the Libertarian tries to induce neutral States to *remain* neutral in any inter-State conflict and to induce the warring States to observe fully the rights of neutral citizens. The "laws of war" were designed to limit as much as possible the invasion by warring States of the rights of the civilians of the respective warring countries.³

Furthermore, the FRAUD government has no right to make commitments for any people or resources other than those that belong to FRAUD itself. As Aubrey Herbert said:

In a *libertarian* society though, it is the individual, not the state, which has the primary choice as to whether and how his defenses shall be maintained. As an individual he has the right to fight in his own or another's defense; or, if he adjudges it foolhardy or disbelieves in fighting altogether, he has the right not to fight at all. And similarly, he has the right to subscribe voluntarily to police forces and courts which offer defense, but also the right not to subscribe. No one has the right to force him to fight or to pay others to fight for him.⁴

Suppose a foreign government takes a liking to the free nation and offers to act as its protector. For example, suppose the FRAUD government is so successful in its public relations that the government of the USA decides the free nation is a noble experiment that deserves America's protection against military invasion. How should the people in the free nation respond to this? Should they rejoice and give thanks and cancel their private defense policies? Should citizens of the free nation offer to sell or lease land to the United States so it can establish a military base in the free nation for its defense?

I think that many people in the free nation would be delighted by such an offer from the USA and would be glad to lease land to America for a military base. After all, national defense is one of the most difficult problems for a free nation. National defense is a classic example of a "public good" that most people believe cannot be provided effectively by the free market, because of "externalities" and the "free-rider" problem. So an offer from the USA to provide this service at no cost to the citizens of the free nation would be hard to refuse.

Nevertheless, the FRAUD government and the citizens of the free nation should graciously decline the offer. Not only would it be unseemly and hypocritical for a free nation to rely on coercive government for protection, it would be dangerous. No state can be trusted. The

government of the USA, in particular, has a long history of duplicity, imperialism, and invasion. The people of a free nation would be foolish to look to the US government for protection. On the contrary, the USA would be one of the most likely powers to invade and destroy a free nation, especially a free nation that refuses to cooperate with its war against people who use drugs.

Conquest: FRAUD could conceivably decide that the free nation would be more secure if they conquered and incorporated nearby nations. After all, foreign states have no right to tell us where we can go and what we can trade. We have no moral obligation to respect the arbitrary political borders that governments have foolishly drawn. If they try to stop us from trading by imposing tariffs or import quotas, we have the right to crush them like bugs, strip them of power, and annex their countries to ours. If FRAUD decides to do so, they could try to raise an army to invade and conquer neighboring nations. However, we have not stipulated that the citizens of foreign countries have voluntarily given FRAUD the authority to appropriate their rights, nor would it be reasonable to expect them to do so. Therefore, FRAUD would have to conduct their wars in such a way as to not hurt foreign civilians or their property. This would severely limit their ability to wage wars of conquest. This is why FRAUD would be a paper tiger. Therefore, the FRAUD government, in addition to remaining neutral in inter-state wars, should abstain from wars of conquest.

Nuclear Disarmament: FRAUD should agree to a policy of total disarmament of nuclear weapons and of all other weapons of mass destruction, since it has no right to such weapons in the first place. In a free nation, any organization that possessed such weapons would be treated as a threatening criminal, because there is no other use for such weapons than to murder innocent people.

Therefore, their very existence must be condemned, and nuclear disarmament becomes a good to be pursued for its own sake. And if we will indeed use our strategic intelligence, we will see that such disarmament is

not only good, but the highest political good that we can pursue in the modern world. For just as murder is a more heinous crime against another man than larceny, so mass murder—indeed murder so widespread as to threaten human civilization and human survival itself—is the worst crime that any man could possibly commit. And that crime is now imminent. And the forestalling of massive annihilation is far more important, in truth, than the demunicipalization of garbage disposal, as worthwhile as that may be. Or are Libertarians going to wax properly indignant about price control or the income tax, and yet shrug their shoulders at or even positively advocate the ultimate crime of mass murder?⁵

Revolution: Should the FRAUD government foster revolutions in other countries? A revolution is a violent uprising against a state by some of its subjects. The fact that all states are criminal organizations that initiate aggression against their subjects by taxing and commanding them, creates a prima facie case in favor of revolutionaries who try to overthrow these criminals. The FRAUD government would, therefore, have the right to support and assist revolutionaries in other countries. Whether it should do so is more a practical matter than a moral issue. Here it might be appropriate to try to use the utilitarian calculus to assess the likely outcomes of various levels of support for particular revolutionary movements in particular countries under their unique circumstances. Exactly how utilitarians can assign numerical values to all the possible outcomes and arrive at the optimum solution has always been a mystery to me, but as long as they respect everyone's rights, they have the right to make utilitarian calculation and take action based on those calculations.

To my way of thinking, the decision to intervene or not to intervene is an easy one only in the most extreme situations. If the revolution has absolutely no chance of succeeding, then it would be wise to stay out of it. If the revolution has virtually succeeded already and a libertarian system has replaced the state, we should give it moral support by recognizing its legitimacy and praising it. What to do in situations between these extremes

is open to debate. One factor to consider is whether other states would retaliate against the free nation if the free nation offered support to revolutionaries. As a matter of prudence, I think the FRAUD government should officially remain neutral while other organizations in the free nation make their own decisions about the kind of support to give to revolutionaries.

Immigration: The FRAUD government would have the right to keep people out of its offices or other property, but the FRAUD government does not own the nation nor is it the landlord for the nation, so it has no right to keep people out of the country. Consequently, it must allow immigration by anyone who could afford transportation to the free nation and a place to stay when they get there. In a free nation there would be no artificial limitations on immigration such as quotas.

Exclusion of immigration if allowed to be in some cases a justifiable policy, is, it should clearly be recognized, quite inconsistent with any sincere admission of the equality of all human beings, or with any natural rights of all to share in the gifts of nature.⁶

A free nation would be a sanctuary for political refugees, draft dodgers, deserters, migrant workers, drug dealers, smugglers, and others looking for freedom from statism. Welfare addicts, anti-gender feminists, and socialists in general will be welcome, but they will choose not to come, because a free nation cannot offer what they want.

A free nation would probably have its share of nationalists, anti-Semites, and racists, but it wouldn't have politicians to cater to them. So, a free nation would not keep out persecuted minorities, and it would not abet genocide the way the Roosevelt Administration did by preventing German Jews from escaping to the United States.

Emigration and Extradition: Anyone who wanted to leave the free nation would be free to do so. However, the FRAUD government would not have the right to extradite alleged criminals to stand trial in other countries. Under lib-

ertarian law, alleged criminals cannot be forced to appear at their own trials much less can they be shipped off to another country for that purpose. Foreign governments won't like this policy and they will accuse the FRAUD government of protecting criminals. It would, therefore, be wise for the FRAUD government not to offer any police or judicial services. Their Constitution should specifically prohibit FRAUD from offering these services. Then FRAUD could respond to these complaints from foreign states by saying that the prosecution of criminals is a matter for the private courts and protection firms and it would be unconstitutional for the FRAUD government to interfere.

Foreign Aid: In a free nation, private organizations have the right to give aid to foreigners. The FRAUD government could be one of these private charities. Unlike foreign aid as we know it, FRAUD foreign aid would come from voluntary contributions, because the FRAUD government would not have the power or authority to raise money through taxation or other forms of theft. Since the FRAUD government would be basically a public-relations firm, it might decide that making charitable contributions to foreigners would help the reputation of the free nation.

Libertarian charities should aid victims rather than victimizers. They should not funnel contributions through criminal organizations such as states. States cannot be trusted to use foreign aid justly or efficiently. They are likely to use it instead to strengthen their grip on their victims.

Foreign Trade: A free nation should have a policy of complete freedom of trade except for stolen goods, slaves, and weapons of mass destruction, which are violations of rights. There should be no tariffs or import quotas, and there should be no national boycotts. This follows directly from the libertarian principle that it is a crime to initiate force against innocent people. Henry George made the point clearly more than 100 years ago:

Protective tariffs are as much applications of force as are blockading squadrons, and their object is the same—to prevent trade. The difference between the two is that blockad-

ing squadrons are a means whereby nations seek to prevent their enemies from trading; protective tariffs are a means whereby nations attempt to prevent their own people from trading.⁷

Individual citizens can decide to boycott countries, companies, products, and people that they disapprove, but the nation as a whole must have a policy of free trade. In a free nation, anyone who hates foreigners would be free to organize boycotts and protests against foreign trade. Sanctimonious liberals would be free to picket the offices of international corporations that employ children overseas at low wages and to congratulate each other for their nitwit policies, which if enacted would lower the standard of living of the children they claim to care so deeply about. But they would not be able to impose terms of overseas trade or employment. Those who are opposed to narcotics, pornography, and other vices would be free to organize voluntary boycotts against foreign as well as domestic commerce in these products and services. The FRAUD government would not have the right to cooperate with foreign states in their wars on drugs or in any other crusade that uses criminal methods to suppress vice.

Conclusion

The foreign policy of the organization that poses as the government of a free nation should have preservation of individual rights and the freedom of the nation as its highest goals, and it should base its policy on the libertarian principle of nonaggression. This means it should maintain neutrality in inter-state wars, avoid military alliances with foreign governments, forego wars of conquest, promote disarmament, remain officially neutral while letting others support foreign revolutionaries, permit free immigration and emigration, abstain from extradition, give charitably to foreigners in need, give no aid to foreign governments, and allow free trade.

George Washington's advice in his Farewell Address (September 17, 1796) is still sound: "The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little *political* connection as possible."△

Footnotes:

1 *For a New Liberty*, page 264.

2 I gave these organizations absurd acronyms to remind the reader that the claims of these organizations are preposterous. No organization can really have moral authority to speak for a whole nation. Of course, any real organizations that were trying to establish themselves in the eyes of statist as the legitimate government of a nation would choose more appropriate names.

3 "War, Peace and the State" in *Egalitarianism As a Revolt Against Nature and Other Essays* page 77.

4 Aubrey Herbert, "The Real Aggressor" page 24, in *Faith and Freedom* Volume V, Number 8, April, 1954. (Aubrey Herbert, I believe, was one of Murray Rothbard's pen names.)

5 "War, Peace and the State" in *Egalitarianism As a Revolt Against Nature and Other Essays* page 73.

6 David Ritchie *Natural Rights* page 237.

7 Cited by James Bovard in "The Immorality of Protectionism" pages 41 and 42 in *The Case for Free Trade and Open Immigration* edited by Richard Ebeling and Jacob Hornberger.

Roy Halliday is a proud alumnus of Grove City College (class of 67), which, to preserve its independence, refuses to accept any funds from the Federal government. Recently retired, from a career as a professional editor, he helped with the editing of this issue of Formulations.

Food Wars and the Origin of the State

by Philip Jacobson

Introduction and Caveat

As I have argued in previous articles in *Formulations* we must place our conceptions of a free society within the framework of history. I believe that we now live at the end of the Statist Era, a period of human history which began several thousand years ago. The next era, a stateless one, is now forming. To me it is not a question of "if" it will come, but merely a question of "how soon." Our specific efforts, here, to describe it—our formulations—will not cause the new era, but they can help it come sooner. And our ideas can help decide many of its characteristics ("statelessness" is a fairly vague description, after all).

The speed with which our descriptions might be adopted will be enhanced if we can place the changes we seek in a historical context. The change to a new era will not simply involve another twist on the theme of civilization. What is coming involves a paradigm shift greater than anything witnessed by any civilization yet devised by man. And to appreciate this we must look back to a time long before the first civilization, to trace the fundamental forces which set the stage for the emergence of The State.

Let me say clearly in advance that my interpretation of history, of Natural History, involves a degree of speculation. Certainly many esteemed social scientists, social philosophers and biologists will disagree with all or with part of what I say here. And I will not claim that my ideas are unique—though I don't think they have yet been put in the service of libertarianism.

The state, as a social institution, is associated only with complex societies. The communities which humans formed for most of our species' existence were quite simple by comparison. The various institutions which make up modern societies did not pop into existence, just as they are, all at the same time. They took thousands of years to develop, first ap-

pearing in simpler forms, in different places at different times (although all began fairly recently in geologic terms). The most profound difference between the earliest humans and modern people is in the way they obtain food. The rest of



Phil Jacobson

our complex institutions have developed out of the changes in the way we get our food. The state is no exception. Now new technologies are altering not only the way we get food but also most of the rest of our culture. The ecological relationships which set the stage for the state and which have sustained the state until modern times will not survive the social changes caused by these new technologies.

Pre-Human Roots

For something like two million years, humans were hunter-gatherers. This lifestyle had significant origins. Earlier, our ape ancestors are thought to have been driven out of some of the forests of East Africa, as climate changes turned isolated pockets of forest into grasslands. These apes, like modern chimpanzees, had derived most of their food from plants, but had occasionally killed and eaten small animals. Fewer suitable plant resources on the plains had probably motivated some of the hungrier apes to join meat scavengers. A few apes with sticks could easily drive buzzards away from what hyenas or dogs had left.

The first hominids (closer to human than to ape) evolved in this environment. Their diets began to include regular supplies of meat. Their physical form began to reflect their new lifestyle as hunter-gatherers. Their feet and legs adapted to long periods of standing and walking upright, thus freeing both hands to hold food or weapons while traveling. Their hands adapted to better grasp any tools they might use. Their brains grew bigger to make better use of such tools. At some point they acquired the ability to speak, enabling them to cooperate more effectively in hunting or other activities.

Bigger brains and speech allowed them to begin evolving culturally as well. They began to use more sophisticated tools. They noticed that they could eat more of what other hunting creatures ate if they used the edges of sharp stones to cut at the flesh of a dead animal, much as other meat-eaters used their teeth. They learned to knock rocks together in order to create such sharp edges. Stone tools opened new opportunities to consume animal products, often as food, often as tools (skins, horns, etc.). Hominid use for and appetite for the products of the hunt expanded.

It is not clear how dependent the earliest hominids were on scavenging. It is unlikely that they were able to kill larger game for themselves, however. So they probably entered the arena of the larger carnivores as scavengers, facing lots of competition. Wild dogs, hyenas, and even big cats do a lot of scavenging from each other. Overpowering a successful predator from another (or one's own) species, with larger size or greater numbers, can be much easier than stalking and striking down a prey animal. A large band of hominids, wielding sticks and throwing stones, could enter the predators' arena. But at least in the earliest years, hominids would have been near the bottom of the meat-eater pecking order. Lions, hyenas, and dogs not only steal kills from one another, they also kill and eat other predator species if given the chance. It is likely that early hominids just barely held their own. For the hominids not only had to compete for killed meat, they had to defend pregnant females and some very vulnerable young. In most situations they probably ate more plants than meat.

But over time, with culture, the hominids got better at carnivore activities. New tools began to increase the hominids' bargaining power with the other meat-eaters. Perhaps the most powerful was fire. While fire has little use in making a kill, it can be used to fend off an attack. Hominid hunters would probably not have carried torches while stalking game, or even while stalking scavenging opportunities. This would have warned and scared away, in both instances, animals who could outrun them. But evening campfires made each night more secure, more restful. Fire was also useful in putting a point on a spear. Stone tools got better as well. Still, for most of the time hominids (this includes us humans) have been on earth, they have not been the most competitive of hunters.

True Humans, the Early Years

Anatomically modern humans evolved perhaps as early as 200,000 years ago, inheriting the lifestyle described above. Slowly they spread, displacing earlier hominid species and using their "modern" brains to develop their culture to new levels of sophistication. Around 30,000 years ago these changes had accumulated to a critical level. Stone tools reached a high level of sophistication. Humans began using them to carve wood and bone with great precision. The first artistic crafting emerged, both as carving and as painting. Stone points were made so that they could be lashed to spears. Other sticks were carved into spear throwers. A short time later the bow-and-arrow was invented.

Meanwhile, humans had begun an interspecies hunting partnership with dogs—the first animal domestication for humans and an unprecedented cooperation among social carnivores. The dog-human team soon ended the ageless struggle for dominance among the meat eaters. The hunting instincts and speed of the dogs, evolved over many more years than those of the humans, were joined in hunts by the sheer power of the humans with their fire and their huge, stone, flying teeth. One for one, the lions had always had the advantage, though they'd never been able to beat hyenas or dogs when significantly outnumbered. But a healthy full-sized pack of Late Paleolithic humans, allied with domesti-

cated dogs, could beat any group of lions—though most times the contest might be sufficiently bloody on both sides so as to make it undesirable to pick a fight. The new dog-human hunting teams didn't merely dominate the inter-carnivore relationships. They brought new power to the hunter-prey relationship. Humans allied with dogs could kill prey species better than any other mammals had ever done before. Last, but perhaps not least, a domesticated dog, though usually treated as a second-class human, could provide a quick emergency meal.

Ecological Shock

The forces of a new era in human culture had been assembled. After a (geologically) brief period these forces would lead to the formation of complex human societies with complex institutions—including the state.

The new physical power of humans was extremely destabilizing ecologically. For millions of years apes had evolved as marginal predators. For hundreds of thousands of years, hominids had evolved as second class (or even lower ranking) predators. They had evolved culture and were, over a period of several generations, quite flexible with regard to their behavior compared to all other animals. But their instincts had not disappeared. And these were the instincts of a species which did not expect its violent power to prevail in most circumstances. Such a species, when the opportunity to kill quickly and blindly presented itself, might learn to kill joyfully, for the pleasure of knowing domination over other species—for sport. For some groups of hunters, this is what happened.

It is unlikely that all human cultures became addicted to blood sports. By the term "blood sport" I mean violent activity as a source of amusement or of spiritual satisfaction rather than as a means of defense or to satisfy physical needs. Some human cultures would have carried on much as they had before acquiring great violent powers. These "milder" cultures, probably the most common cultural type, would have been satisfied applying less effort to achieve the same old results. A few others took to the water, began to be fishermen, and found tougher competition amongst the sharks and whales. But a significant number of

hunting cultures (I believe a small minority) adopted the notion of the trophy kill. Within these cultures it might be more accurate simply to say that amongst some individual hunters a style, an attitude, a spirit—perhaps stronger in some groups than others—was first tolerated, then encouraged.

Intoxicated by a consistent ability to beat the other carnivores and kill any game the other carnivores could kill, those hunters infected by the blood-sport spirit looked to surpass their former non-human rivals and each other. They discovered ways to kill even the largest grazers, adult mastodons, mammoths, and rhinos—previously beyond the reach of predatory mammals. They began to kill game in large numbers, far more than they could consume. They killed entire herds. Such massive blood-letting might very well have been uncommon. But it did occur, and over the centuries it took its toll, faster in some parts of the world, slower in others. In many places, blood-sport culture did not take hold for most of human history. Possibly, among most hunters, blood sports were considered quite vulgar. But blood sports continued to thrive, to spread. By this century, the carnage had reached all the land surfaces of the world.

New Food Sources for a New Ecology

By about 10,000 years ago the largest mammals were extinct in Europe, north Asia, and all of the Americas. In much of the world, the population of mid-sized game mammals was drastically reduced—a process which has continued. In such areas all hunter-gatherers began to face a challenge. The traditional hunting and gathering lifestyle became less attractive as game became less abundant. Many hunting cultures adopted a more respectful attitude toward the remaining game species. Two new lifestyles, however, offered entirely different approaches to obtaining adequate food.

For one of the new cultures, the "gathering" activities began centering around especially abundant seed foods, some of which began to sprout afresh around the campsites of those who'd gathered them. Over time these peoples learned to deliberately spread seeds in especially fertile areas and take up permanent residence nearby. Eventually it occurred to them that planting some of

the seeds from the best yielding plants (rather than just a random selection of seeds) tended to produce better harvests. In this way the farming lifestyle emerged.

The second new culture adopted a strategy which was the opposite of that of the blood-sport culture. These peoples began to follow healthy herds of animals, consciously killing only as necessary. They began to perfect some of the principles of heredity, which had already been practiced with dogs. By killing the more aggressive individuals in a herd, the remaining part of the herd reproduced as a more easily controlled group. By killing the weaker individuals in the herd, the remaining herd tended to be a healthier and better food source. Soon these people and their dogs "owned" herds—regular and fairly easy to exploit supplies of meat. By protecting the prey species from other predators the herders kept more meat for themselves and kept many of their hunting skills sharpened. As dogs had much earlier become "second-class" members of the human community, so the herd species gradually became "third-class" members.

Fragile Populations

Both herdsmen and farmers, over time, developed relatively high-yield domesticated food species. It became possible to support ever larger and denser human populations on the best grazing or farming land. But in filling these lands to capacity, the new food-producing lifestyles became fragile. Both of the new economies could thrive only in suitable land, and only when blessed with good weather. At first, it might have been possible for those groups which found themselves with poor harvests or poor grazing (causing low birth rates in the herds), to move to new space. While sometimes inconvenient, this would have been a continuity of an old hunter-gatherers tradition. Hunter-gatherers could also intensify their struggle with the other predators, as a method of compensating for temporarily lower food supplies. But eventually all the good food-producing lands became occupied by humans who practiced domestication, and the predatory species were driven out. Under such conditions an especially poor harvest or weak herd left a community with insufficient food and no alter-

native but for some of them to starve.

Periodic starvation became a fact of life for those who had adopted the new lifestyles. Yet it was a pattern these people and their descendants, for thousands of years, would not be able to break. For they had lost hunter-gatherer skills and, even if they'd retained the skills, there were too many of them for the land. Yet enough of them would survive each famine to continue on with the lifestyle associated with domesticated food sources.

In an effort to better their lot, farmers and herders continued to develop ways to get higher yields from the same land. But such improvements, while expanding a community's potential for a few years, actually made problems worse in the long run. When larger populations could be supported the population grew, thus making larger the number who must starve in bad times.

It is important to note, however, that this pattern affected only some of humanity, only a small minority in the beginning. For thousands of years after the first herding and farming cultures got started, most people still practiced the hunting and gathering lifestyle.

It is conceivable that many cultures developed many methods of coping with periodic famine. What is fairly clear, however, is that violence became a factor in all of the densely populated cultures that survived. It doesn't take many violent people to set off a food panic, when all can see that there's just not enough food for all to survive. Over time, the groups within any society which resorted to violence could impose starvation on their neighbors and would tend to be the ancestors of future generations. Or, at the least, the violence-prone groups would tend to be socially dominant in such societies. But it is not clear that the idea of violence began simply as a response to bad harvests.

Raider-Farmer Relations

The blood-sport cultures began to run out of large game. At some point it would have occurred to them that the contest between them and the predators was over, that humans were the ultimate hunters. And from that, it is not a large conceptual leap to begin seeing the old contest between predators as having taken a new form. It would be possible

for at least some of the blood-sport cultures to see that their most worthy adversaries were not other hunting species, but other humans. Similarly, if traditional prey species became scarce, raids on the resources of other human communities could provide food.

But as some of the blood-sport cultures raided their neighbors, those neighbors began to develop defenses. Amongst the agriculturists, whose lifestyle did little to encourage martial arts, these defenses would be relatively weak on a per-capita basis. But denser agricultural communities would have had sheer numbers on their side, at least to the extent that raiders might not totally wipe out the community. The invention of the walled town established a rough balance of power with the raiders. In addition, any raiders near a town might be bribed to hunt the few remaining wild predator species which might wander into the farmers' domain. This would not likely have gained many raiders a permanent place in a farmer community. But it may have served to build some very weak associations between some farmers and some raiders. During an especially bad famine, such raiders might ally with such farmers. Those farmers who did this might learn some martial skills. And even if none of the farmers developed friendship with any of the raiders, raider martial skills would be observed by some farmers, who (if they survived) might develop military ideas of their own. Such "martial farmers" could become the leaders in a walled town's defense force, once the famine ended.

Herder-Raider Relations

Relations between the raiding blood-sport cultures and the herders would have been another matter, though. The raiders could have been treated as a particularly tough form of predatory mammal which threaten the herds, not completely different from the herdsmen themselves. The balance of power between raiders and herdsmen was more like a peer-to-peer relationship. The two probably established occasional truces, long enough to exchange some critical ideas. For the herdsmen, the idea that a foreign group of humans might be the source of food in a crisis could have come from the raiders. Such a foreign group might be another herding commu-

nity, or perhaps a group of farmers. For the raiders, the idea that it is better not to totally wipe out the food source even if this is possible could have come from watching the herders' extreme success with this strategy. And in places the raiders might be able to exist by simply keeping their cattle theft down to reasonable levels. During especially tough times, the riders might even be able to make alliances with some herders against others, thus tipping the balance of power in large grazing areas. Over time, such alliances might become semi-permanent, giving the herders in the alliance an advantage over rival herders even in good times. The raiders could thus be, so to speak, "legitimized" as a source of violent strength available to some herders.

For brief periods herder-raider cooperation might begin to establish the concept of mutually voluntary roles for each culture, based conceptually on the model of domesticated animals. To the herders, allied raiders might be thought of in the same way as dogs—largely reliable second-class members of the community with special value during violent activities. Indeed herders might pit one raider group against another as the dogs were used against their cousins the wolves. But the raiders, ever conscious of status between groups, would likely have viewed the herders as the "dogs." Since each side would prefer to be at the top of the social hierarchy, the relations between herders and raiders, even when some alliance could be established, have never been very stable—though it would likely have been more viable than any raider-farmer alliance. In many areas, the various herder groups would have allied against the raiders during prosperous times. In the long run, the herders would have learned two things about the raiders: (1) that raiders could never be truly domesticated like dogs, but that (2) in extremely desperate times allying with raiders might mean the difference between survival and death for an individual herder group. Raiders survive to this day wavering between criminal and mercenary status. This is one reason why no state has ever won a "war on crime" nor ever really intends to do so.

Herder-Farmer Relations

But while the herders might never have settled into a stable view of the raiders, the herders would have some very clear thoughts about the farmers. A herder group could understand other herders, even if at war with them. And to a lesser extent a herder could understand a raider. But a farmer's lifestyle would have been totally incomprehensible to a herder. In the best of times, this might not have prevented some wary trade between the two groups. But when the herders faced famine and had little to trade, they would have had a hard time ignoring any food the farmers had gathered.

Herders, even without raiders to serve as role models, would have been able to see the farmers as another species from which food could be taken via violence. Most likely, the food of farmers would not have been a herdsman's first choice. But if grazing was poor within as wide a range that a herdsman knew about, yet a nearby farming village had stores of food, stealing from the farmer might have seemed a better choice than slaughtering more of an already weak and reduced herd. As towns grew up, and various crafts were perfected which required a settled residence, some of the herders might adopt raiding ways to gain these items as well. But on the whole, the strongest enticement to violence would be starvation.

For herders to sweep quickly into a farm town, kill a number of the defenders, and steal some of the food or other goods is essentially a raider tactic. Pure raider thinking calls for wanton killing and stealing with little thought to the future. Both herders and pure raiders could have used it. But part of the herder mentality included the notion of limiting the harvest from a prey species. So it would have occurred to some herders that they might not take all of a farm village's wealth, nor destroy any more than necessary. This way the herders could come back again later should they so choose. And for many farm villages, there would have been an advantage to giving a portion of their goods to any thieves who agreed to accept it peacefully. In this way tribute relations would be built up between some herders and some farmers.

The Invention of the State

But a farm community which was set upon by several waves of thieves could not simply keep giving to each over and over again without eventually running out of food. So some farmers made special arrangements with nearby herders. Not only would the herders take just a part of the harvest, but they would guard the village against other raiding as long as they were in the area. The villagers would have been like a new kind of cattle. And over time, some of the herders might have come to appreciate the products of the villages so much that they decided to keep somewhat smaller herds of animals, while cultivating a permanent herd of humans. The farmers, in turn, might prefer to give a limited share of their crops to one set of herders who would guard them against more substantial losses to raiding. The essential relationships of the State had been invented.

To the herders this could appear as a very favorable arrangement. In times of famine, they would decide who would starve—and it would never be themselves. To the farmers there might have been little choice—more rebellious farmers being killed by the herders. However, some farmers would always be useful to the herders and so some could expect to survive each famine until good times returned. Over time the herders would tend to select the more docile farmers for survival. And the herders could also choose to raid neighboring towns to help feed their human cattle. This would especially be true if several neighboring towns were set up along these same lines, with different groups of herders dominating each one. Food riots within towns would be replaced by food wars between towns. Farmers had already learned that their survival depended upon being associated with the most successful fighters during a crisis. As the role of fighter in the towns came to be taken over by herding cultures, the farmers learned that loyalty to specific herding families was associated with long-term survival for farming families. The lesson was learned well enough that farmers often found it expedient to accept as masters a "foreign" herder group which had driven out their old masters.

The State's Anatomy Evolves

As time went on, and especially as agriculturally based communities got larger, herder-fighters spent less and less time with their non-human cattle. They changed from herders to city dwellers—a caste of professional warriors—a nobility. But city life dulled their battle skills over generations. To make up the difference, the nobles recruited other fighters. Sometimes they chose peoples from other herding backgrounds, fresh from a nomadic life. But other herders might choose to challenge the nobles for power. So at times raiders were recruited, since they lacked a background in managing “lesser” creatures and could not so easily stage a coup based on a shift in “commoner” loyalty. Other times some of the farmers were given limited training in martial arts and used as auxiliary forces.

This is the origin of the traditional state. And the basic relationships remain in place to this day, though other institutions have emerged to complicate things. At its core, a state is a feudal arrangement whereby a population takes direction from leaders who promise military security in exchange for various economic goods and services. The leaders maintain an army which is composed of several standard elements.

At the top is an officer corps which has a special relationship with the “civilian” political leadership, and which specializes in managing the armed forces rather than in actually fighting as warriors. They are the heirs to the average herdsmen, who knew how to manage cattle, but who did not necessarily aspire to tribal leadership. Two types of warriors take orders from the officers.

Ordinary soldiers, who may be recruited from the general population, are trained to commit violence on command but only on command. They are the “cattle of war,” often referred to in modern times as “cannon fodder.” They do not crave violence on a regular basis. They must usually be stampeded into it with fears generated by the politicians and officers. They can be expected to stop fighting when ordered to do so.

Then there are the heirs to the raiders—literally the “dogs of war.” These warriors want to fight all the time and have to be kept in check, surrounded by ordinary soldiers who don't identify

with them and who will gladly kill them if they get too far out of line. Often organized into special units with elite names—“shock troops,” “guards,” “grenadiers,” “airborne,” or simply “mad dogs”—these troops can be counted on to start a fight. Once the “enemy” has been attacked by mad dogs, the enemy will counter-attack against “cattle” troops with nearly identical uniforms, who fight back as a defensive maneuver even if they'd not been motivated for war up to that time. Mad dogs are useful for invigorating a stale campaign as well as for committing atrocities.

Relations between the army and other social elements are handled by two types of diplomacy which we may simply call internal and external. External diplomacy is the relationship between the army and other armies or non-conquered non-military peoples. Internal diplomacy is the relationship between the army and the conquered non-military population. Initially both types of diplomacy were handled by military leaders directly. But over time, especially as the society controlled with the army became larger and more complex, non-combatant specialists, “politicians,” began to handle diplomatic issues. For foreign affairs, non-combatant “diplomatic” officers became useful. For internal affairs, a class of non-combatant administrators emerged.

The State in Complex Society

In many especially complex societies, the state has come to be represented more by its politicians than by its military. But behind the veil of words is still the threat of force. The loyalty of the non-military members of society still rests upon the belief that the potential for violence by the state is preferable to the potential for violence by other groups. It is not necessary that all of the subordinate population believe this. It may not even be necessary for a majority to believe it. But in each statist society there is a required critical mass of voluntary support among those outside the state—the “ordinary citizen” or “commoner.” The state's supporters can act as informants when unrest among their fellow commoners becomes a serious threat, and the military can be called upon to crush a potential revolt.

It is possible, for a time, for a state to maintain itself by pure violence, using what is essentially a pure raider strategy. In such a situation, however, none of the commoners sees the state as being in any way preferable to foreign or domestic raiders. Consequently, the support from the commoners which is compelled by threat of violence will be much weaker than if a significant number of them saw advantages to the regime above them. So if foreign invaders come, the commoner is not particularly worried about prospects under a new regime. But if a rivalry occurs between factions within the state, one faction of which offers a less violent regime, significant popular support may occur to give the “lenient” faction an edge. And when foreigners threaten to invade, the non-combatants have some incentive to vigorously support the military.

The State Loses Its Ecological Foundations

The ecological forces which provide a foundation for the state are being eroded. Food wars, wars based on the absolute physical inability for all to be fed, are now obsolete. Famine comes when food is scarce in a particular region. Famines are local. Since W.W.II a network of transportation and communication (much of it stimulated by military concerns) has been in place which makes the delivery of food to local areas relatively easy. Almost any small village will have some electronic communication with the outside world. No famine can go unnoticed. International relief agencies have used this knowledge to solicit adequate funds to supply any area where food has become critically scarce. Aircraft capable of transporting heavy cargoes can deliver emergency food supplies to any region. All-terrain vehicles can take it quickly from airfields to any remote area. This world-wide network of food distribution is always available to overwhelm the old problem of fragile local food supplies.

Physically, no one ever needs to starve. And everyone, world-wide, knows it—though the full consequences of it are not widely contemplated. Any local famine, including the rescue efforts, is a story carried by all news agencies worldwide. Also in the news is any raider behavior which blocks food sup-

plies. It is always made clear that if people are starving it is because food shipments are being stopped by violence. It used to be that on the local level people resorted to violence to get food, and valued the presence of anyone who would help them steal food. Now those who steal food are not saviors for the few who ally with them, but the reason why there is still starvation. Raider behavior has lost its only justification. What remains is simply sadism.

Modern Culture Replaces Statist Culture

In relatively recent times, the support of non-combat members of society in time of war has become essential to an army. Larger and larger armies have been formed, too large to live off the land. Supplies of various types from the "homeland" have become essential to military success, even for smaller forces. Technology has become critical as well, both for weapon systems and other supplies. The enthusiasm of civilians during a war can be critical to victory. The technical ability of civilians to manufacture and deliver sophisticated products to

the military is also critical. Under such pressures, modern societies have changed.

Technically sophisticated production and distribution systems require decentralized economic systems and decentralized arenas for research and development of new ideas. The values of those who work in such systems are different from those of the traditional supporters of states. Career success replaces large families as a sign of individual achievement. Thus the new economies do not have the population pressures of earlier ones. This even further reduces the concern with possible famine. The primary tool for personal advancement is education, rather than control of land or other tangible wealth. Thus conflict over limited land and (in the short term) limited amounts of tangible wealth is being replaced by almost infinite possibilities for sharing the mastery of ideas and skills by average workers. Zero-sum thinking persists among many people, but the argument that such thinking is inherent to the human condition is much harder to sustain.

Efforts by states to commandeer the products and services of such workers have greatly restricted their production, as have efforts by states to replace these workers with slaves or serfs. Military campaigns must now be presented to a "home" population as fights for "freedom" or against "oppression." Naked aggression is still the end product in many cases. But exposure of such motives by state officials is becoming easier, and with this exposure the enthusiasm for war grows weaker in the civilian populations whose support has become essential. Weakening too is the basic respect for the laws of the state, which are increasingly seen as vehicles for special interest rather than a source of justice or for "order" in the face of potential "chaos."

Most citizens have not begun to consider alternatives. But they are at the edge of the market for liberty, if not yet intellectually sophisticated traders in that market. So the times are ripe for libertarians. To borrow the words of Winston Churchill: it is not yet the beginning of the end of the struggle against statism, but it is, perhaps, the end of the beginning. Δ

Non-Governmental Actors

(Continued from page 27)

The "free nation" lacks a mechanism to negotiate treaties, participate in collective security, or debate in international forums. Instead, the "free nation" relies on person-to-person and group-to-group gifts and aid, business transactions, the flow of humanitarian and investment funds, activities of citizens living, traveling or doing business abroad, and the persuasive power of its national culture as tools to further individual and collective foreign policy interests.

The differences in both the foreign policy considerations pursued by the "free nation," and its choice of tools for implementing foreign policy, serve to dramatically contrast policies of the "free nation" with its "big government" counterparts. The long-term effect of the contrast may be to undermine public support in "big government" nations for

government-beneficial foreign policy considerations like "balance of power," geopolitics, and collective security. These considerations provide benefits to government in government efforts to perpetuate itself, but provide few substantive benefits to individual citizens living in "big government" nations—other than the dubious benefits of going to war against the citizens of other nations in support of these considerations or assuming a massive tax burden to fund the government's foreign policy machinery. Individual citizens around the world see the considerations underlying their national foreign policies, and the foreign policy tools used by their government to implement those considerations, as counter to their individual and personal interests. As a consequence, they move one step closer to demanding "free nations" for themselves. Δ

READINGS:

Bennett, W. Lance. *News: The Politics of Illusion*. Longman, 1996.

Ikenberry, G. John, ed. *American Foreign Policy: Theoretical Essays*. Scott, Foresman and Company, 1989.

Kegley, Charles W. and Eugene R. Wittkopf. *American Foreign Policy: Pattern and Process*. St. Martin's, 1991.

Schweizer, Steven L. *Imagining World Politics*. Prentice Hall, 1997.

Gordon Neal Diem is Assistant Professor of Political Science at North Carolina Central University and a Lieutenant Colonel in the U. S. Army Reserve. His text, American Foreign Policy: Principles and Personalities, will be published on CD-ROM by Telikon Electronic Publishing, Spring 1998.

(Continued from page 44)

A "Nation" Is Born

The interview commences.

Logic: How did this idea, that some businesses might combine and create a new free nation, get started?

Ramirez: Well, we are flattered when anyone says that we have created a nation. Because what we have here really is too tiny, compared to the real nations, for most people to see it as "a nation." And we do have a limited leasehold, of 99 years.

But, to answer your question, some people have thought all along that it should be possible to attain some sort of sovereignty. There have been many attempts, through the past few decades, to start new little nations. But most people do not know about this, because most people have not followed the movement. And the attempts have seemed almost too ridiculous to report.

None have worked, until this project. And this one has flown, so far at least, because a few people with money, owners of medium-sized businesses, finally believed in the potential of such a project.

Logic: So we understand these business owners formed the Economic Opportunities Consortium, which has carried out the plan. Who are the major players in the Consortium?

Ramirez: Well first there is my employer, Narayn Inc., headed by Mr. Narayanan. We manufacture television chassis. This site, here in Naraville, is our sixth facility, the other five being in Malaysia and Korea. At each of these facilities we employ between 300 and 2000 employees.

The second largest player is Process Automation, a software company which dominates their niche in manufacturing control systems. They were looking mainly for a place where their professional staff, who are pretty high-paid people, could work without paying half, or more, of their earnings to some parasitic government. They have about 250 employees here now, many with families.

Other important players are Bergen, the Swiss based insurance company, and Fisk Security International.

And then there are minor players. The hotel is run by Comfort Lodgings. They have about 30 employees now.

Logic: What is the political status of Naraville?

Ramirez: Well, in this sense we are like a nation, in that we fend for ourselves, negotiating as we need with the governments of nations, and calculating where we stand—how secure we are—as a player in the game of nations.

Of course we have the 99-year lease with Subotoland. And that creates the outlines of our situation. We are, provided we live up to that agreement, independent to manage our own affairs, with about as much scope of choice as most nations.

Logic: How much rent do you have to pay for this land?

Ramirez: We think it best not to disclose that in this medium.

Logic: Does your agreement with Subotoland require you to do other things, besides pay rent?

Ramirez: Yes. We must not attack Subotoland, or other neighboring nations. We must not provoke attack, by some other nation upon Subotoland. We must not pollute, in damaging ways. That is about it.

Also, of course, we need to avoid provoking attack upon ourselves. But the lease does not say that.

Oh, and we also have to treat the Zonsan, a tribe which has lived in these hills, humanely.

Logic: You leased most of the land area of Rumbdier, is that correct?

Ramirez: Yes the lease maps out about a thousand square kilometers, which we may use as specified. Our boundary skirts around Squazzi, and the few villages, by a wide margin, so what we got was empty of permanent settlements.

Logic: How do you know you are secure?

Ramirez: Our security involves having a sense of who might attack us, and why, and taking steps to make sure we do not offend those parties, in such a way that would provoke attack.

We feel quite safe, vis-a-vis the government of Subotoland, because we pay them rent which makes almost one fourth of their national budget. They accept and welcome us.

And, regarding our acceptance by governments in other nations, it is important to note that the government of Subotoland is a member in good standing in the United Nations, and that it maintains peaceable-enough relations with other governments in Africa. So our favorable relationship with the government in Halieerz starts us with a good footing.

If things should come to a falling out, but I do not anticipate this, the Fisk Security Agency has weapons which, we believe, would render unprofitable any attempt to invade which might be mounted from any nations in this part of the world. Our lease states, explicitly, that we can arm ourselves, and act, in our own self-defense.

And then, a big part of our security lies in our being spread out. Most of our banking is still done in other nations. So if the government of Subotoland suddenly revoked the lease and seized Naraville, assuming it had capacity to do that, it would not get much of value to it. Here we have—not wealth—so much as the capacity to produce wealth—under the right circumstances. Most of us here would not work, and probably could not work, profitably within an incompatible regime.

Logic: But what about big and powerful nations, like the U.S., France, or Iran. How do you know that one of these will not find an excuse to invade?

Ramirez: Well, that of course is an important question. It does occupy our attention. But notice that the Earth is covered with little nations which exist without provoking attack. We in Naraville believe that we can practice diplomacy, as well as these.

Underneath our confidence lies the fact that we really are not aggressive, except in producing good products for good prices. We are in fact a good neighbor.

Now sometimes there will be some interests, probably businesses hurt by competition, which are motivated to paint us as a danger, so that they try to get their nation's government to support some act of aggression upon either Naraville, or upon the particular competing business in Naraville. This can happen, and we need to watch for it. But it does not need to defeat us. It is, in fact, a manageable problem, when you face it and deal with it.

Logic: I understand that you have insurance against invasion.

Ramirez: Yes. One of the partners in the consortium is Bergen, the Swiss firm which specializes in international insurance. Most of us with property here have policies with Bergen.

On the quarter acre lot, for instance, which my wife and I own and on which we are building a house, we have a policy in which Bergen insures 60%, should we lose our property because of international invasion. That is 60% of an appraised value. And, should we find ourselves kicked totally out of here, they will pay in any of the 22 cities around the globe, where they have an office.

And they also insure against fire, theft, natural disaster—the sorts of things Americans are used getting in homeowners' policies.

The businesses also, for the most part, have invasion insurance with Bergen. Although, in my plant, Mr. Narayanan has decided to insure only some of the most expensive machinery. He has decided not to insure the investment in the buildings and land.

Logic: Isn't this unusual? How can Bergen insure against invasion?

Ramirez: Well, they can. They have a history of insuring unusual things. And this does not strain them at all. All of the assets in Naraville combined do not add up to be anywhere near as big as one of their larger accounts. And do not worry about them. They charge, plenty. Our insurance premiums are about ten times what they would be in the U.S., for homeowners' policies.

The good news is that another insurance company has started to negotiate with Fisk. I think they have figured out that they could decrease their exposure to loss by paying Fisk to beef up, to present an even stronger force against invasion. I think they will be able to undercut Bergen, and still make a handsome profit. At least I hope so.

Logic: You said you "own" a lot. How can that be, given that the whole contract is just a lease, for 99 years?

Ramirez: Well, you are right. We have it for 99 years, so it is more like a sublease than complete ownership. But, in a sense, we own more than property owners in other countries, because we do not face zoning or other land-use regulations. As long as we do not injure our

neighbors in some way, we can do anything we want with our land, for those 99 years.

Logic: What is your position, Mr. Ramirez, in the Consortium?

Ramirez: I am a minor shareholder in the Consortium. I own about 1% of the shares. I hold no office in the Consortium, and my long-term influence obviously is no greater than the percentage of shares which I own.

But, since I am the ranking employee here of Narayn, which owns the largest block of shares in the Consortium, I have been elected by the Consortium to one of the five seats on the Representative Council at Naraville, which you might think of as the executive branch of the government here. And, starting today, I serve my year in rotation as Chair of that Council.

In this role I do not lead so much as represent. And, in an important sense, I serve at the pleasure of my boss. My chances for reelection to the Council, if I should want it, depend upon my continued acceptability to Mr. Narayanan.

Logic: What kind of entity is the Consortium?

Ramirez: The Consortium is an extended partnership, a contract among its members, with control vested in the ownership of shares. Narayn Inc. owns the largest block, 40%. And, since Mr. Narayanan owns most of Narayn stock, he is the most influential person in the Consortium. He is Chairman. Process Automation controls about 22% of Consortium shares. Bergen and another major investor each hold about 10%.

Logic: Where do your workers come from?

Ramirez: Of course I can speak best for Narayn. About two-thirds of our factory workers are ethnic Chinese, refugees from a purge in Vietnam, where their ancestors had lived for 300 years. Many refugees from this purge had become boat people. But Mr. Narayanan saw the great opportunity. These people are great workers, hard working, eager to learn—to live. So, with the grateful consent of the UN, we offered employment contracts to 400 of these, who have come with their families. In our plants it turns out that most of the human labor can be performed by people who have two to three weeks of training. We provide this training as part of the arrange-

ment with the workers.

As for our higher-skilled technical and supervisory staff, we draw from a sufficient pool of staff already trained in our five other facilities.

As for Process Automation, their 250 staff are mostly highly skilled and highly paid computer specialists. Most of these came from the U.S., but many also came from Europe and a few from Japan.

Logic: Before you found this site, in East Africa, what were you looking for?

Ramirez: Well, speaking for Narayn, as our business grows we are constantly looking for new sites for our plants. Of course we want a politically stable environment, low taxes, and a reliable workforce. In recent years the major consideration in siting a plant has been the friendliness of the government, the extent to which we can expect that the government will leave us alone.

Logic: What were the political and geographical considerations?

Ramirez: After the Consortium formed, we started looking for some land we could rent, or buy. The Earth is just covered with land which is barely populated at all, but we needed to find some land in the domain of a government which would welcome our payments. So this meant probably a poor, third-world country, where national pride would not keep the government from wanting our payments.

It had to be secure. We wanted to see, when we looked at the map, that no government in the region would be likely to take significant offence at our presence. Also it helps to see, among neighboring nations, none which is likely to organize a potent threat, in military terms, to our small but well-equipped security contractor. This allows us to avoid most worry about shifts of power in neighboring nations.

From a marketing standpoint, we could have settled almost anywhere in the world. The world is a smaller place now, in terms of shipping expenses.

Of course we all wanted a mild climate, and a beautiful setting in nature, and we were lucky in what we found here in East Africa. But these were secondary considerations for most of our settlers, to date at least, because these people just want to live and work, free of oppression.

Now there is a whole category of potential settlers who seek a tropical paradise, for a tax haven or retirement. We here in Naraville have not generally served that market. But it has potential, and I expect our tourism will increase.

Logic: Why didn't you try to find a site within a more advanced nation? For instance, within the continental United States there are large tracts of land which are perfectly habitable, but which are almost empty. Why didn't you go there?

Ramirez: Many people have asked this. But this seemed impossible to us, because the government of the nation with which we dealt would have to accept the idea of selling sovereignty from its rule. Officials in the governments of most first-world nations are proud. They really seem to believe in what they are doing. But in the third world we can find many more leaders of governments who do not try to pretend that their rule is ideal.

Also, most first-world governments are electoral democracies. Government office holders in these countries cannot make choices which differ far from the will of the majority of the people. To sell the idea in these countries, of selling sovereignty to a new little nation, it would become necessary to convince 50% of the populace. But that is a huge chore which we doubt that we could do. It may be impossible.

We were looking just for some government with which we could deal. We were looking for a landlord-tenant relationship, in which the landlord really wants, and needs, the rent payments. And we could not expect to find this in the first world.

Logic: Tell us about the circumstances that you found here in Subotoland.

Ramirez: Westerners really do not understand the culture and the peoples here in Africa. The whole concept of "nation" does not fit here. These people are members of their tribes, first and foremost. The idea of a nation comes out of Western thinking, because Westerners all live in nations, and identify that way. But what we found here was people we could deal with.

Logic: I do not understand what you are saying about the "Western concept of nations."

Ramirez: Well, if you look in an atlas, at a map of the world or of Africa, you will see all the land divided up into different-colored regions, which are labeled as nations. This is a Western concept.

For instance, you and I talk about Subotoland, the country from which the Economic Opportunities Consortium leased this land. Well, Subotoland is a Western concept, a Western creation. The people who live on the land which Westerners call Subotoland do not think of themselves as citizens of Subotoland. They think of themselves as members of their tribes. They are not governed by the government in Halieerz. They are governed by their tribal apparatuses. And they do not get justice from the government in Halieerz, or seek it there. They have tribal systems of justice.

And they do not obey the government in Halieerz. In fact, if that government ever tried to impose a regulation, or collect a tax, more than ten miles from its center of power in Halieerz, probably its agents would get shot. So they stick close to Halieerz.

For almost all of the inhabitants of this part of Africa, life carries on as it has for the last thousand years—guided by tribal elders and tribal justice.

Logic: But you have your lease with the government in Halieerz, don't you? How is it legitimate, if that government has no power out here in Naraville, 400 miles from Halieerz?

Ramirez: We deal with them because that is the government recognized by the UN, the United States, and by major Western nations. Since we want to keep peace with those powers, we deal with the government that they recognize. And, in making a friendly deal with that government, which they announced in glowing terms in the UN, we came most of the way toward attaining international security.

Logic: "Most of the way," you say. What more did you have to do to get security?

Ramirez: Well, of course, the next major concern is the domestic scene: can we get along with the people who are here. And this is a separate question, it has nothing to do with Halieerz. Except that both we and Halieerz, for the sake of acceptance in the international community, wanted to have a clause in the lease

which required us (the Consortium) to extend certain considerations to the local inhabitants. We had no trouble with this, because it simply put into writing what we always intended and wanted.

Logic: So what have you had to do to make the local tribes happy?

Ramirez: Well, there is really only one tribe, the Zonsan, who have, in recent centuries, made use of the land which we are inhabiting. It is desert, and the Zonsan, at least those who still cross these parts, have used it only sporadically for grazing their goats, where grazing could be found.

Practically speaking, we could probably have set up our perimeter fence and settled here, just as we have done, without negotiating with the Zonsan at all. This land is worth so little to them that they have not established ideas like property rights in the land, and I think none of them would have considered themselves cheated if we simply took use of this land.

But morally and politically we felt we had an obligation anyhow. Even if they did not expect something in trade, we felt we should try to give it.

So we pulled some numbers out of the hat. We hired an agricultural specialist who estimated how much grazing value, in terms of hay, this land had offered to all users. It was not much. We multiplied that by five. Then we made an effort to find all the family groups who might, in the future, have made use of this grazing. And we gave to each a value which we guessed to be their share of that total. Generally, they thought we were crazy.

We also established a water trough just outside our perimeter, which, for 99 years, we will keep supplied with water. Our agricultural specialist assures us that this alone is worth more than all the grazing, on occasional clumps of grass, that this land ever provided. And we have had to learn something from that. We intended it to be for goats, as a goodwill gesture to passing shepherds. But we've had some come up in pickup trucks. They siphon the water into 55-gallon drums and take it away. That water does cost us money, and if this goes too far, it looks like we are going to have to establish a goat check point.

Logic: Were you helped in any way by organizations such as the Free Nation Foundation, in North Carolina, which have worked on theory, and academic issues, relating to creation of a free nation?

Ramirez: Yes, it seems that some important groundwork was done by the Free Nation Foundation, in making the idea acceptable. Not that everyone accepts the idea. In fact, as you know, most people on Earth do not know that Naraville exists. But before FNF started to build the credibility of the idea, almost no level-headed business people thought of it as a possibility. Then suddenly, I think perhaps to the credit of FNF, there were a few businessmen, Mr. Narayanan among them, who were saying, "let's do it."

Logic: How do you govern, in the enclave?

Ramirez: There is not really any governing to do, to speak of. The Representative Council represents, more than governs. And the representing that we need to do is mostly to the outside world. Internally, we are a collection of private neighbors.

Logic: How do you administer justice? What would you do with criminals?

Ramirez: Well, for the time being we have the Council Adjudication Board. This is three judges, selected by the Consortium. This is our ultimate authority for local law, should we need it. But its monopoly will end, in a sequence of steps during the first ten years.

Logic: What are those steps?

Ramirez: We are now still in startup phase. During startup phase, which lasts three years, all settlers and companies, anybody who has any contractual presence here, has agreed to accept the judgments of the CAB. Other arbitration and settlement means may be used, if all parties to a dispute agree. However if any one party wants CAB, then it comes before CAB.

The cost of operating CAB during this phase is assured by the Consortium, through its internal contracts. But CAB judges are expected to assess court and enforcement costs upon parties it deems both liable and able to pay.

During the second phase, which lasts seven years, alternate systems of judg-

ment will be encouraged to grow. The provision that any one litigant may demand a hearing before CAB will expire. The Consortium will continue to underwrite CAB, but with each passing year will pay a smaller proportion of CAB expenses. At the end of the second phase, CAB, if it still exists, must meet all its expenses by charges levied upon litigants.

For the ultimate phase, which lasts for the duration of the lease, adjudication boards will be entirely private, separate from the Consortium I mean. They will meet their own expenses, without help from the Consortium, and will be selected by the concurrence of the litigants, just like any other voluntary contract.

Logic: But what if a criminal refuses to come before a judge?

Ramirez: Well, if you are wronged, you can always go before the CAB, or some other respected authority, alone. If you have a strong-enough case the CAB might, after trying to solicit a voluntary reply from the defendant, write an opinion for you, saying that an action which you suggest against the criminal seems justified. Then, if you carry out the act, or if your insurance company hires Fisk to do it for you, you are on pretty solid ground. The criminal, assuming he sees this coming, may decide it is wise to appear before CAB, to make his case.

Logic: Can't this system of justice go sour?

Ramirez: Yes, it is frightening, to sit and imagine all the ways it could go wrong. But so far we seem to be doing fine, and the transition to private law will be gradual.

And you know, ultimately I find comfort in realizing that we are free individuals. If some of us face a problem which we had not foreseen, and we get together and agree that we have a problem, we can organize, and act. We can always draw up new contracts.

And do not forget that I have insurance, on my life and property. So do most others here. Bergen's policies are good. Local justice might fail to protect me. But I also have insurance on the things that are most precious to me.

Logic: I am skeptical of just the startup phase, of "company town" law. Why would the CAB ever give justice to people who had complaints against Narayn?

Ramirez: That is a reasonable concern. All of us have had to sort of take a leap of faith. But, now that we are part way down the road, we see that we were more worried than we needed to be.

To start with, Mr. Narayanan is a kind man. He has only good intentions. You may doubt it. But I know this, and people who know him know it.

Additionally, he is not dictator. He has 40% control. If he went mad, the other 60% could organize and make decisions.

And finally, a friend reminded me, when I was questioning the wisdom of deciding to live under CAB law, that I had lived in Mexico for four years, in a previous job. I had decided to risk living under their law, which does not have a good reputation, because of the benefits offered by that employment contract.

Why should I hold Naraville to a higher standard? And my friend reminded me that people who go on ocean cruises, or airplane flights, accept the law of the captain, for that time.

Perfect justice, I decided, is an illusion. Before we say "no" to a proposal, because it is not perfect, we should examine what we live with anyhow.

Logic: So, what has happened during the first year?

Ramirez: Speaking for Narayn, we were able to start up rapidly, and ship our first chassis only six months after the lease was signed. Process Automation got started even sooner. Their work is more divisible, and their employees do not require training, only moving.

Before signing the lease, the Consortium agreed to start in a focus area, the square kilometer of the current settlement. The auction, to divide land in the focus area, using tokens issued in proportion to shares in the Consortium, took place one week after the signing. On the next day, Mr. Narayanan's crews landed at Squazzi. They landed with heavy construction equipment, supplies, and an armed escort. A week after that we had a working airstrip and housing for 200 people.

The Consortium, unfortunately, lacked experienced real estate developers. Mr. Narayanan decided to try his hand at it, and I joined him. We are learning, and so far we are doing well enough. Right now, if you are willing to print this ad, we are searching for manu-

facturers of prefabricated housing suitable to our circumstances.

Logic: How do you see the future of Naraville unfolding?

Ramirez: As you know, so far we have occupied less than one tenth of one percent of the land area which we have leased. This could grow into a huge and prosperous city. And as far as I can tell, that will happen. Certainly Narayn is growing as fast as we can. Process Automation plans to bring in another 80 employees next month. The hotel is taking bids from contractors to build three times more space. Prices on land still owned by the Consortium, which is most of it, are rising rapidly.

Logic: What about drugs, recreational drugs, here. Do people come here to get high?

Ramirez: As far as I know, probably some visitors at the hotel consume drugs while here. It is not my business. If it becomes a problem for the hotel, they will deal with it.

Logic: What about international drug dealers? Have some settled here, and started to use Naraville as their base?

Ramirez: Now this could be my business, or could have an impact upon me, because other nations regard drug dealing as evil. If they invade, to stamp out a drug business, that could be a big problem for me, and for other settlers here who had no part in their business, to the extent that our insurance premiums go up because of a risk that they take.

Logic: But don't your libertarian ideals require you to allow any business at all to settle here, including drug smuggling, just so long as your rights are not hurt?

Ramirez: Certainly. But my ideals do not demand that I pay for someone else's stupid mistakes. If someone chooses to enter a business that might provoke attack from a foreign government, then I would say that person has made a very risky choice. And while I would say that they have a right to make that choice, I would also insist that I have

no obligation to help pay for their defense. If my security insurance premiums go up because of something they do, then I have cause for aggravation.

Logic: Do you feel personally vulnerable, Mr. Ramirez? What if you had a falling out with Mr. Narayanan, if he decided to fire you and kick you out of Naraville? Where would you go?

Ramirez: Mr. Narayanan could fire me from my job, any day. But he could not kick me out of Naraville. Not directly anyhow, through any legal arrangement or contract. Of course he has enough power here that he could make things mighty uncomfortable for me, if I tried to stay on against his will. But I think, if for some reason my employment with Narayn did end, the much more likely scenario is that I would stay on here, peacefully enough, and try to find other work. The job market is still tiny, but I got an offer just yesterday, for a job as a chef. My wife needs a chef in the diner she has started.

Logic: Thank you, Mr. Ramirez. △

Foundation News Notes

(Continued from page 1)

- FNF has placed a full-page ad in the October 1997 issue of *Reason* magazine. The ad, which once again features our drawing of liberty hitchhiking, starts with the headline: "Liberty isn't free. But—neither must it be prohibitively expensive." It advertises our 18 October Forum, and gives a brief introduction to FNF. The issue of *Reason* which carries the ad should reach readers in early September.
- We are proceeding with the editorial task of posting our prior publications to the Web. This autumn you should be able to find at our site (freenation.org/fnf) the full text of most of the papers which we published during our first two years, as well as some later papers.
- For the past year Laissez Faire City International Trust has been mostly quiet to our ears. But on 10 May 1997 five envelopes containing checks arrived from LFCIT. One envelope was addressed to each of the five FNF Directors who, in the summer of 1995, were granted status as founders of Laissez Faire City, equivalent to having paid \$100, in exchange for FNF's grant of Membership status to LFCIT. The letter to Richard Hammer, from Mikhail Largin, Trustee, explained that the check, for \$42, was a refund, for unfulfilled subscription to the aborted *Laissez Faire City Times* newspaper. LFCIT, it explained, now focuses its activities in cyberspace. Readers who are curious may find this site at: <http://www.LFCity.com>.
- Roderick Long will soon travel to Rome, to the next annual conference of the International Society for Individual Liberty. He will represent FNF, and speak on a "Secession and Private Cities" panel. Pending development of plans, Bobby Emory might also travel to the conference. More information about the conference, which meets from 28 September to 3 October 1997, may be obtained from ISIL, in California, at 707-746-8796.
- Phil Jacobson has signed a lease to open a used book store on Capital Blvd, in Raleigh. This will be the third in his little chain which operates under the name Edward McKay Used Books. The two existing stores are in Fayetteville and Greensboro (North Carolina). △

A "Nation" Is Born

by Richard O. Hammer

Why fiction?

Here I will tell a story of how a new free nation comes to exist in our present world.

Nine months ago we published "Toward a New Country in East Africa"¹ for the New Country Foundation. In response to that article we received more inquiries than usual. Then, in January of this year, I was fortunate to attend a briefing on the East African possibility². As such, I have a bit more that I can tell.

But what I have learned about the possibility in Africa seems cloaked in layers of uncertainty. And, since we in FNF strive to build the believability of the free nation movement, I do not want to report as fact anything which I have been unable to confirm. Yet, our readers ask for more.

I want others to believe, with me, that a new free nation can, somehow, somewhere, be created. And since the details I have heard about the East African possibility bring that possibility to life in my mind, I have hit upon this scheme: to tell it as fiction. Some of the details here have been inspired, in part, by what I have learned about the possibility in East Africa. But most of the details I have cooked up alone. Please consider it all as fiction—but also consider whether it seems plausible.

Notes:

1 *Formulations*, Vol. IV, No. 2 (Winter 1996-97).

2 FNF Member John Kingman organized a meeting in Houston, Texas, at which a briefing was given by Jim Davidson, on behalf of the New Country Foundation.

3 FNF Working Paper: *Draft of a Virtual-Canton Constitution*, Version 5. May 1994.

A Constitution

In writing this story I will try to satisfy another request which we sometimes get from our readers. Several people have asked for a Constitution, a specific Constitution which FNF proposes for a new free nation. Probably you know that FNF has published a draft of a virtual-canton constitution by Roderick Long.³ But this has the status of a working paper for discussion, not of a proposal endorsed by this Foundation.

My personal view of Roderick's constitution is this: it is as good a constitution as I know. For our purposes it is probably better than the original U.S. Constitution, though I suspect I still have things to learn from the U.S. Constitution. But I am not prepared to endorse any constitution as theoretically ideal for a libertarian nation, because I still feel ignorant of the theory of institutions needed to support order in human society.

Theoretically, since I have trouble justifying any coercive government, I have trouble justifying any specification (any "constitution") of such a government. But practically, since we live in the real world and can proceed only in some sequence of steps, when real opportunity comes knocking I will compromise. I am prepared to embrace some sort of constitution or contract, just as long as that document represents a big step in the right direction.

For those who hunger to see a constitution, for a new libertarian nation, let me point out that the story which follows does present the constitution of a free nation—in a sly sort of way. It exploits another meaning of the word "constitution." It tells of the assembly, of the coming into existence, of a nation. While I remain vague on one kind of constitution, the kind which is a document which specifies a government, I ask you to consider whether this other kind of constitution, the assembly of a nation, might advance our aims.

Setting

Most maps of Africa show a country called Subotoland. Two hundred years ago European colonial powers gave that name, "Subotoland," to this eastern stretch of coast which rises to mountains. Eventually, the Europeans learned their inability to superintend this part of the world, and they left. But they wanted to save face back home. So on their way out they set up a "government," or at least something which Europeans would think was a government. They also designated a capital, the ancient seaport of Halieerz.

To fill the highest offices in this government the Europeans turned to the Yakhili tribe. Among the Yakhili the Europeans found individuals eager for the trappings of office. The Yakhili, who comprise about 20% of the population in Subotoland, have been known among other local tribes as "water carriers for white men."

In the far end of Subotoland lies the province of Rumbdier, 1600 square kilometers, mostly windy desert. Ninety-five percent of Rumbdier's 50,000 inhabitants live in the coastal city of Squazzi. No paved road penetrates Rumbdier's interior, but most of it can be navigated in four-wheel-drive vehicles.

The year is 1999. Forty kilometers inland from Squazzi a settlement is growing.

One year ago, on 1 September 1998, the government of Subotoland signed a 99-year lease with the Economic Opportunities Consortium. Thus started Naraville, a politically autonomous enclave now populated by 2100 people.

On this one-year anniversary, *Logic* magazine has sent a reporter to interview H. Ramirez, who now serves as Chair of the five-member Representative Council at Naraville.

The interview commences, on page 39