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Do We Ever Really Get Out of Anarchy?¹

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Introduction

A major point of dispute among libertarian theorists and thinkers today as always revolves around the age-old question of whether man can live in total anarchy or whether the minimal state is absolutely necessary for the maximization of freedom. Lost in this dispute is the question of whether man is *capable* of getting out of anarchy at all. Can we really abolish anarchy and set up a Government in its place? Most people, regardless of their ideological preferences, simply assume that the abolition of anarchy is possible, that they live under Government, and that anarchy would be nothing but chaos and violence.²

¹ 2006 addition: It's been almost three decades since I wrote this essay. A couple of years ago, when he was still editor of *The Journal of Libertarian Studies*, Hans-Hermann Hoppe invited me to revisit it. His successor renewed the invitation. But the pursuit of other interests and the fulfillment of other obligations have stood in the way. In lieu of that task, which I hope to accomplish some day, I take this opportunity to insert a few reflections in the footnotes. Also, I have found passages in Locke's *Second Treatise* and Hobbes' *Leviathan* that are consistent with the idea that the escape from anarchy is illusory, and these have been inserted in footnotes, as well.

² Even Gordon Tullock writes, "If, as I believe is correct, people under anarchy are every bit as selfish as they are now, we would have the Hobbesian jungle...." From the point of view of this paper, it is interesting that in the very next sentence he adds: "...we

The purpose of this paper is to question this venerated assumption and to argue that the escape from anarchy is impossible, that we always live in anarchy, and that the real question is what kind of anarchy we live under, market anarchy or non-market (political) anarchy.³ Further, it is argued that political anarchies are of two types—hierarchical or plural. The more pluralist political anarchy is, the more it resembles market anarchy. The performance of hierarchical and plural anarchies is evaluated in terms of their ability to minimize the level of force in society. It is shown that plural anarchies are much less violent than hierarchical anarchies. We conclude that the real question libertarians must solve is not whether minimalism or anarchy, but which type of anarchy, market or political, hierarchical or plural, is most conducive to the maximization of freedom.

I

Anarchy is a social order without Government, subject only to the economic laws of the market.⁴ Government is an agent external to society, a “third party” with the power to

would be unable to distinguish a fully corrupt government from no government.” Gordon Tullock, “Corruption and Anarchy,” in Gordon Tullock (ed.) *Further Explorations in the Theory of Anarchy* (Blacksburg, Virginia: University Publications, 1974).

³ 2006 addition: In the original essay I used “market anarchy” and “natural anarchy” interchangeably. Today I would consistently use the latter term, which is equivalent to what Hobbes and Locke called “the state of nature.”

⁴ 2006 addition: As well as market laws, anarchy would be subject to whatever other sociological laws govern (in the naturalistic sense) inter-personal or inter-group relations. For example, the outbreak of violent conflict in the state of nature could be a function of the distribution of capabilities for exerting force among individuals or groups,

coerce all other parties to relations in society into accepting its conceptions of those relations. The idea of Government as an agent external to society is analogous to the idea of God as an intervener in human affairs. For an atheist, a good analogy might be to assume that omnipotent Martians fill the role we usually ascribe to Government, i.e., an external designer and enforcer of rules of behavior by which everyone subject to those rules *must* abide.⁵

However, that the idea of Government exists is no proof of its empirical existence.⁶ Few of us would be convinced by an argument such as: “I believe the idea of

much like the onset of interstate war may well be at least partly a function of the dyadic or systemic distribution of military power among nations.

⁵ 2006 addition: Perhaps the closest approximation to the idea of Government is found in Hobbes’ *Leviathan*. See below.

⁶ Paul Craig Roberts, in *Alienation and the Soviet Economy* (Albuquerque: University of New Mexico Press, 1971), argues similarly that to be able to conceive of central planning is no proof of its empirical possibility. Roberts shows that formally planned economies like the Soviet Union are not centrally planned at all, but are plural economies guided by *non-market* signals. Roberts’ conclusion that central planning does not exist is analogous to my own conclusion that Government does not exist either. I am grateful to Murray Rothbard for pointing out the parallels in the two arguments.

While the body of this paper was being typed, I read Michael Bakunin *God and the State* (New York: Dover Publications, 1970), and was struck by the similarities between Bakunin’s argument against God and my argument against Government. This is not surprising, since many assumptions used to justify government refer to man’s evil nature. It’s as if government took God’s place on earth to keep evil humans in line. That governments are themselves made up of ordinary human beings who remain in a state of anarchy among themselves seems to have escaped those who adhere to this view.

God is possible, therefore God exists.” Yet such is the structure of the argument which underlies all assumptions about the existence of Government. That societies may have some form of organization they call the “government” is no reason to conclude that those “governments” are empirical manifestations of the *idea* of Government.

A closer look at these earthly “governments” reveals that they do not get us out of anarchy at all. They simply replace one form of anarchy by another and hence do not give us real Government. Let’s see how this is so.

Wherever earthly “governments” are established or exist, anarchy is officially prohibited for all members of society, usually referred to as subjects or citizens. They can no longer relate to each other on their own terms—whether as merchants at a port or a vigilante unit and its prey in the open desert or the streets of Newark, N.J. Rather, all members of society must accept an external “third party”—a government—into their relationships, a third party with the coercive powers to enforce its judgments and punish detractors.

For example, when a thief steals my wallet at a concert, I am legally required to rely on the services of members of a third party to catch him (policemen), imprison him (jailers), try him (prosecutors, judges, even “public” defenders), judge him (trial by a group of individuals coerced into jury duty by the courts), and acquit or punish him (prisons, hangmen). At most, I am legally authorized to catch him, but I am prohibited from settling the account myself. Such prohibitions have reached tragi-comic proportions, as when government punishes victims of crime for having defended themselves beyond

the limits authorized by “law.”⁷ In short, I or any other citizen or subject must accept the rulings of government in our relations with others. We are required to abide by the law of this “third party.”

However, such a “third party” arrangement for society is non-existent among those who exercise the power of government themselves. In other words, there is no “third party” to make and enforce judgments among the individual members who make up the third party itself. The rulers still remain in a state of anarchy *vis-à-vis* each other. They settle disputes *among themselves*, without regard for a Government (an entity outside themselves). Anarchy still exists. Only whereas without government it was market or natural anarchy, it is now a *political* anarchy, an anarchy inside power.⁸ Take,

⁷ 2006 addition: John Locke argues that when quitting the state of nature for what he calls civil society, man surrenders the right to punish while reserving a qualified right of self-defense. See *Second Treatise on Government* (Indianapolis: Hackett Publishing Company, 1980, 67).

⁸ Of course, the rulers of any government have as their power base interest groups in and *out* of government. The leaders of non-governmental interest groups often hold the key to the political survival of even the most powerful politicians. Hence, the strict dichotomy between governmental and non-governmental members of society breaks down. Around the edges of government, many private individuals live in a state of anarchy *vis-à-vis* government officials. George Meany is probably as good an example as any. I am indebted to my colleague Cal Clark for pointing this out.

Also living in anarchy *vis-à-vis* government officials are all those members of underground criminal organizations which supply consumers with a vast array of illegal goods and services. That the CIA made deals with top gangsters to carry out some of its

for example, the rulers of our own Federal government. It is a group composed of congressmen, judges, a president and a vice-president, top level bureaucrats in civilian and military agencies, and their armies of assistants who together oversee the work of the millions of public employees who man the several Federal bureaucracies. These individuals together make and enforce laws, edicts, regulations and vast arrays of orders of all kinds by which all members of society must abide.

Yet, in their relations among each other, they remain largely “lawless.” Nobody *external to the group* writes and enforces rules governing the relations among them. At most, the rulers are bound by flexible constraints imposed by a “constitution” which they, in any case, interpret and enforce among and upon themselves. The Supreme Court, after all, is only a *branch* of the government, composed of people appointed by and subjected to pressures from other members of the government. Moreover, their decisions are enforced by some *other* branch of the government, the executive, over whom the judges have no power, only authority. Further, the Congress, through vocal pressures and the manipulation of budgetary allocations to the judiciary, also exercises pressures which the judges must contend with. Similarly, congressmen have no “third party” arbiters either among themselves or in their relations with the executive. Furthermore, even the various federal bureaucracies and all their component parts are without a “third party” to govern their relations, internally or externally. In short, looking *inside* the government reveals

missions should not come as a surprise. Most police departments probably have similar relations with local crime chiefs.

that the rulers remain in a state of anarchy among themselves. They live in a political anarchy.⁹

The anarchic relations of government officials can be illustrated in the following example: Suppose that a congressman manages to divert streams of moneys from the government's flows to his private estate. This is a crime, theft, the stealing of money. But from whom? From you or me? Only in the sense that we were coerced into contributing to the public treasury which the congressman viewed as booty. It was no longer ours; it belonged to someone else. But who? Why, the members of the government who have the power to allocate those flows of resources.

In short, the congressman stole from *other* government officials, congressmen, bureaucrats, a president, etc. But what is done about the crime? Is the congressman publicly accused, indicted, and tried for his crime like an ordinary citizen who steals from another citizen? Sometimes; but what usually happens is a flurry of political maneuverings at high levels; mutual threats are delivered behind closed doors and forces

⁹ 2006 addition. That there can be no government within the government was made plain by Hobbes, who rejected the doctrine that the sovereign is subject to the laws on the grounds that "to be subject to laws, is to be subject to the commonwealth, that is to the sovereign representative, that is to himself; which is not subjection, but freedom from the laws. Which error, because it setteth the laws above the sovereign, setteth also a judge above him, and a power to punish him; which is to make a new sovereign; and again for the same reason a third, to punish the second; and so continually without end, to the confusion, and dissolution of the commonwealth." See *Leviathan* (London: The Crowell-Collier Publishing Company, 240).

marshaled against each other; occasional battles take place in which either reputations are destroyed, money changes hands, or resource flows or access to them are altered.

The hue and cry is soon forgotten, the congressman receives a “clean bill of health” by the prosecution, or the charges are dismissed or not pressed, and the congressman wins reelection at the polls. Occasionally, if the infractor was a weak or declining public figure, or one much hated by his colleagues, he is brought before the courts, tried, and given a minimal or even a suspended sentence. In most instances, small fish near the bottom of the bureaucracies are sacrificed for the crimes higher-ups directed, profited from or sanctioned. But make no mistake: no “third party,” no Government, ever made or enforced a judgment. The rulers of the government themselves literally took the law into their own hands and produced what outside the government would be considered “vigilante justice.”¹⁰

In short, society is *always* in anarchy. A government only abolishes anarchy among what are called “subjects” or “citizens,” but among those who rule, anarchy prevails.

Figure 1 illustrates this situation. The circle on the left shows a state of true or market or natural anarchy, in which all members of society relate to each other in strictly

¹⁰ 2006 addition: This and the previous two paragraphs may be overly cynical about what happens to miscreant public officials in America and other countries where the rule of law, a civic culture, and a vigorous public opinion exert their salutary influence. It is an empirical question whether public officials in different political regimes are punished more or less severely than their private counterparts convicted of equivalent crimes.

bilateral transactions without third party intervention. The circle on the right shows the situation prevalent under government. In the higher compartment we see individuals whose relations among each other are no longer bilateral. All relations are legally “triangular,” in that all members of society are forced to accept the rule of government in their transactions. However, in the lower compartment, inside the “government” itself, relations among the rulers remain in anarchy.¹¹

¹¹ 2006 addition: In his discussion of executive prerogative, Locke recognized this. He wrote: “The old question will be asked in this matter of *prerogative*, But *who shall be judge* when this power is made a right use of? I answer: between an executive power in being, with such a prerogative, and a legislative that depends upon his will for their convening, there can be no *judge on earth*; as there can be none between the legislative and the people, should either the executive, or the legislative, when they have got the power in their hands, design, or go about to enslave or destroy them” (*Second Treatise*, 87; italics in original). That members of the political elite lack a third party to settle their disputes highlights the importance for avoiding civil war of a culture of self-restraint and what used to be called “gentlemen’s agreements.” The problem is that when elite opinion becomes polarized over a set of issues, such restraints go out the window. The English, American, and Spanish civil wars are cases in point.

Hobbes, for whom anarchy meant a war of “every man, against every man,” was also aware of this, and argued therefore against dividing the powers of government: “For what is it to divide the power of the commonwealth, but to dissolve it; for powers divided mutually destroy each other” (*Leviathan*, 100, 240). The passage previously quoted from the *Leviathan* on the impossibility of setting up a government within the government is also pertinent.

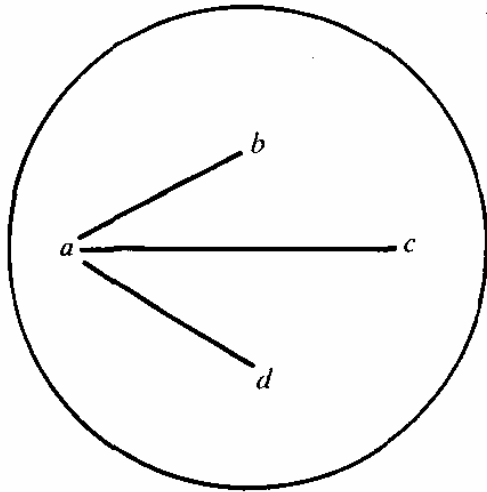
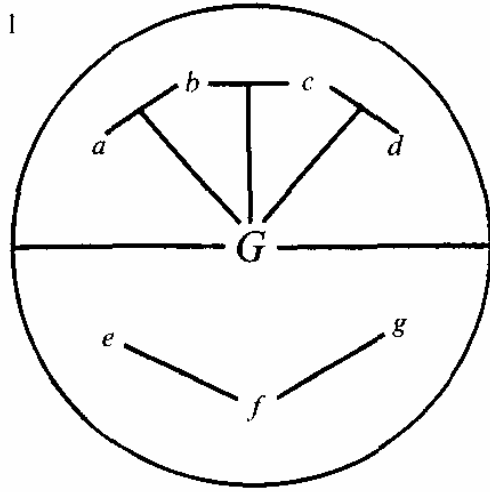


Fig. 1



II

Having shown that anarchy is not completely abolished by government but reserved, so to speak, for the rulers only, among whom it is the prevailing condition, it is proper to inquire whether this is beneficial for society. Its proponents and defenders claim that without government society would be in a state of intolerable violence. Thus it is logical to inquire whether the effect of government is to increase, reduce, or in no way affect the level of violence in society.

Is political anarchy less violent than natural or market anarchy? Minimalists argue that it is, provided government is strictly confined to the role of acting as a third party in property disputes. While government necessarily involves the use of limited violence, minimalists say, the level of violence in a minimal state would be lower than that in natural anarchy.

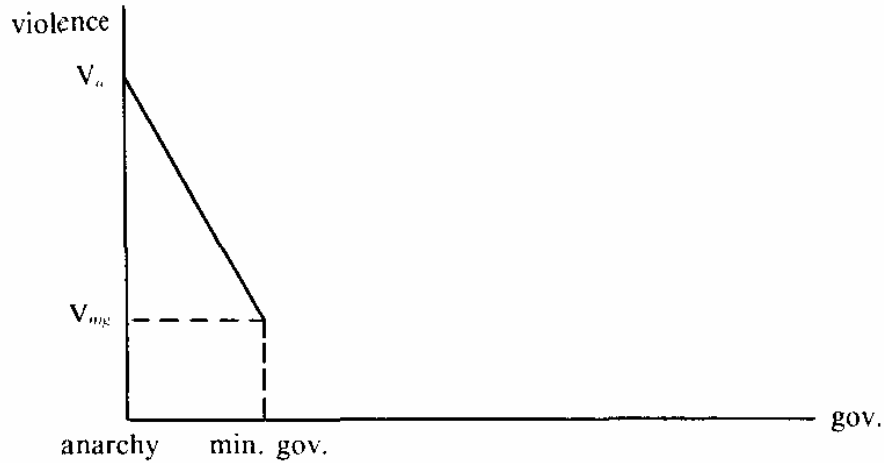


Fig. 2

Figure 2 illustrates the minimalist idea. By providing the amount of government of the minimal state, the level of violence in society drops below the level in natural anarchy. Presumably, judging from the vociferous anti-interventionist stand of the minimalists, if government grows beyond the size of a limited state, either there are no further gains in reducing violence—and thus more government is pointless and costly in other ways—and/or beyond a certain size the level of violence in society rises to meet or perhaps surpass the amount of natural violence. (See Figure 3).

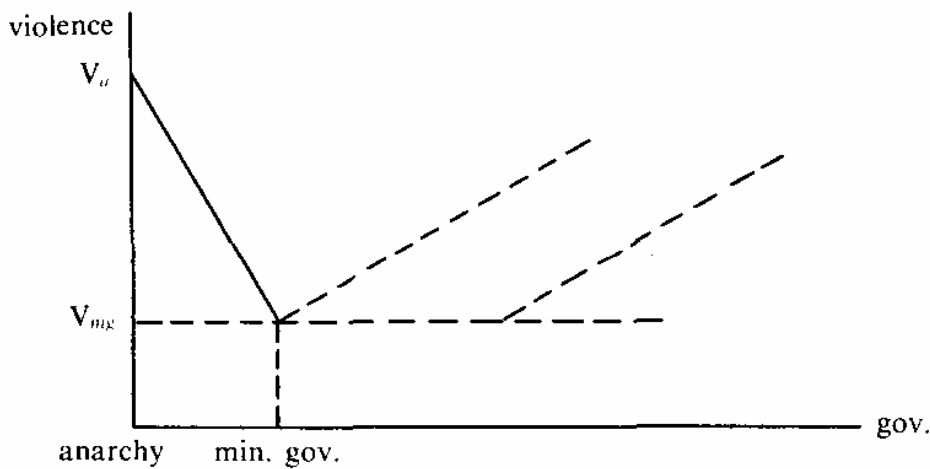


Fig. 3*

* Broken lines represent possible effects on violence from enlarging government beyond the minimal state.

That violence under political anarchy might exceed the violence of market anarchy is not inconceivable.¹² Hitler's concentration camps and Stalin's Gulags are evidence of violence in such proportions that one could hardly venture to say that natural anarchy would be *worse* than that. Similarly, the political anarchy of nation-states has produced interstate violence on such a scale that it must give pause even to the most devoted disciple of Hobbes.¹³

A third view is possible and theoretically the most interesting. This view says that the relation between government (the substitution of political for market anarchy) and violence, is qualified by a third element, the *structure* of the government, measured along a centralization dimension. The more authoritative powers are dispersed among numerous political units, the more pluralistic the government. The more centralized the structure, i.e., the more authoritative powers are concentrated, the more hierarchical the government. Note that the more hierarchical the government, the more government is run on the assumption of an ultimate arbiter. In other words, the more centralized the structure, the greater the effort to *create* a single "third party" inside the government itself in the form of a God-like figure such as a Hitler, Stalin, Mao or Castro. Such a

¹² 2006 addition: Locke argues that while a properly limited civil society is preferable to the state of nature, tyranny would be worse (*Second Treatise*, 113).

¹³ This is an argument which Murray Rothbard makes and which implies that true anarchists should logically favor a single world government in order to abolish anarchy among nation-states. Yet few of them do. (Murray Rothbard, in letter to the author, September 21, 1978; and Walter Block, in letter to the author, October 26, 1978.)

“third party,” however, remains in complete anarchy from the rest of his countrymen and the rest of the world.¹⁴

The more plural the politics of a country, the more the rulers behave without any reference to a “third party” and thus the more society resembles natural anarchy. The less plural or more hierarchical the politics of a country, the more society appears to be ruled by a truly “external” element, a god-like figure sent from the heavens of history, religion or ideology.

A cursory glance at contemporary societies and recent history shows that, empirically, it is precisely those societies ruled by such earthly personifications of Government where the level of violence in the form of political repression, coercion and intimidation is highest. In contrast, violence is lowest in societies with highly pluralistic politics, such as Switzerland. This is true even in the “communist” world: the more pluralistic communist politics of Poland or Yugoslavia are less violent than the more hierarchical politics of the Soviet Union. Similarly, in the Western world, the more pluralistic politics of the United States are less violent than those of Italy, where politics are much more hierarchical.¹⁵

¹⁴ 2006 addition: As Locke puts it, “such a man [i.e., the tyrant] . . . is as much *in the state of nature*, with all under his dominion, as he is with the rest of mankind” (*Second Treatise*, 48-49; italics in the original).

¹⁵ 2006 addition: I am not sure why I contrasted Italy with the United States. I may have been thinking of the violence associated with the Mafia and the Red Brigades, which were wreaking mayhem at the time. According to an entry in the Wikipedia, consulted on April 25, 2006, “Throughout the 1970’s the Red Brigades were credited

But why would the degree of centralization determine whether political anarchy is violent in hierarchical states such as China or Cuba, and relatively peaceful in pluralist states such as India and Costa Rica? The answer may simply lie in the fact that centralized states are more likely to make mistakes than decentralized states.¹⁶ Political mistakes are in the form of *wrong* or *false* conceptions about the nature of bilateral relations in society and in politics, such as conceptions held about the relation between worker and capitalist in communist states. If judgments are wrong, they are not voluntarily accepted by one or both of the parties to the transactions. Under those conditions, the only way for the rulers to enforce their “third party” conceptions is to use force, which, under different conditions, will or will not be resisted by the opposition.

In a pluralist government, wrong conceptions about bilateral relations in society are less likely to occur. This is because there are numerous units independently interacting with each other and with the citizens and subjects, so that more and better information about the effect of these judgments on bilateral relations exist. Moreover, wrong conceptions are more easily checked as various autonomous political units, each capable of marshaling political resources of their own, confront each other in a successive series of political transactions.

with 14,000 acts of violence.” Interestingly, in the 1980s Italy underwent a decentralization of government whose effects are traced by Robert Putnam in *Making Democracy Work* (Princeton University Press, 1993).

¹⁶ See Gordon Tullock, *The Politics of Bureaucracy* (Washington, D.C.: The Public Affairs Press, 1965), for a full theoretical development of this idea.

In a hierarchical government, however, not even the members of the government are permitted to settle disputes among themselves. *All* relations are subjected to the judgment of some supreme leader. Such a leader must maintain a vast network of spies and enforcers to accomplish such a superhuman feat. Of course, one man's ability to control the behavior of others is quite limited, and so even in Hitler's Germany, truly Machiavellian, feudalistic deals were made right under the Fuhrer's nose. Naturally, such arrangements were prohibited so everyone lived in a state of fearful insecurity, not knowing when his enemies would succeed in turning Hitler against him.¹⁷

Whether this explanation is a good one or not, we still have with us the *explanandum*, i.e., the fact that hierarchical politics are more violent than pluralist politics. But if society with a pluralist political anarchy experiences less violence than societies with a hierarchical or "governed" government, isn't it logical to inquire whether natural anarchy is less violent than political anarchy? Why should the relation between government and violence be curvilinear? Isn't it possible that it is upward sloping *all* the way, so that government always produces more violence than the market?¹⁸

Summary and Conclusion

We have shown that anarchy, like matter, never disappears—it only changes form. Anarchy is either market anarchy or political anarchy. Pluralist, decentralized political anarchy is less violent than hierarchical political anarchy. Hence, we have reason to hypothesize that market anarchy could be less violent than political anarchy. Since

¹⁷ See Albert Speer, *Inside the Third Reich* (New York: Avon Books, 1970), Part II.

¹⁸2006 addition: I.e., the state of nature.

market anarchy can be shown to outperform political anarchy in efficiency and equity *in all other respects*,¹⁹ why should we expect anything different now? Wouldn't we be justified to expect that market anarchy produces less violence in the enforcement of property rights than political anarchy? After all, the market is the best economizer of all—wouldn't it also economize on violence better than government does, too?²⁰

¹⁹ Murray Rothbard, *Power and Market* (Kansas City: Sheed Andrews and McMeel, Inc., 1970). 2006 addition: I am less sure of the truth of this claim than I used to be. Be that as it may, this has no bearing on the central proposition of the essay.

²⁰ 2006 addition: The logic of the argument leads to the raising of these questions. The answers, however, are elusive and may never be found. There must be a reason why there is no society without government. Locke no less than Hobbes concluded that a properly constituted government is at least convenient. There may very well be a social law that drives men into civil society, i.e., into substituting political anarchy for the natural kind. That it turns into an ill bargain for many subjects of tyrannical regimes is a terrible tragedy. But that does not mean that the remedy lies in natural anarchy. A decentralized political anarchy bounded by a culture of sober self-restraint on the part of the members of the political elite is probably a safer bet.