

**The Practice of Panarchism: Building on Max Borders’
Panarchist Vision**

Adam Knott

The Practice of Panarchism: Building on Max Borders’ Panarchist Vision

A beautiful idea can often be expressed succinctly. The philosophy of *Panarchism* is one such idea, and it received a succinct and eloquent expression recently when Max Borders penned a simple post for the blog *Let A Thousand Nations Bloom*. Max has agreed to let me present his short essay in its entirety after which I would like to add my comments about how the vision Max presents might be brought about. The title of Max’s original essay has been changed from “Towards YouTopia” to “Towards Panarchy.”

The fact that another scholar of liberty has independently reached panarchist conclusions is further proof to me that when one holds the principle of *voluntarism* as the fundamental principle of one’s social philosophy, certain conclusions naturally follow. Besides Max, I know of at least three other writers who, in well-written essays, reasoned to panarchist conclusions while never referring to the philosophy of panarchism by name. They were led to these conclusions, in my opinion, when they accepted the principle of voluntary association and voluntary disassociation as the fundamental principle of their theory of

liberty. From this fundamental principle one is led to the idea of political associations based on voluntary consent rather than on geographic location, and then to the idea of multiple voluntary political associations coexisting in the same geographic region.

We can refer to these associations as *governments* or we can refer to them as *communities* or *civil associations*. The panarchist conception is that such associations are voluntarily accepted and need not be based on geography. Max Borders' *right of exit* is the natural corollary to the panarchist insistence on *voluntary association*. Max Borders' essay is a sign that the notion of nonterritorially defined voluntary communities is entering the consciousness of the liberty movement.

Towards Panarchy: Must All Communities Remain Earthbound?

Part I

Liberal academic George Lakoff once compared taxation to paying membership dues at a club. Steven Pinker gave him hell for it, and deservedly so. After all, if you don't pay your taxes, "men with guns will put you in jail." But what if that didn't happen? What if we accept the best of Lakoff's mendacious metaphor and downgraded strict citizenship to membership in community?

To be fair, we're still at the stage of sorting through our thinking. But before I offer my uncomplicated ideas for social change, I want to present a challenge to the statist.

I define a statist as *(a)* someone who believes that government power is good and makes the world better than it would be otherwise and *(b)* someone who believes that governments should have monopolies over certain goods, services, and spheres of activity.

Most people agree with your right to leave the county, state, or country if you don't like what the government in that

jurisdiction has handed down. You can go live somewhere else, though probably under a different thumb or set of thumbs. So why does something as arbitrary as geography determine your right to exit from some system of government?

For the statist—i.e., one who believes in the ultimate authority of the state—there seem to be two possible responses:

- **x:** “If they could get their hands on me—i.e., my body and/or my wealth—whether in Sweden, or down there on my secret island, they would be justified. There is really some objective, global justice, the ends of which justify their means of getting to me”; or
- **y:** “Considerations of pragmatics and citizenship mean that once I’m in another jurisdiction, so long as I haven’t broken any laws in the old jurisdiction, I’m no longer your concern. Because I am living in another place, under different auspices, you have no right to bother me there—whatever your concept of justice.”

I think fair-minded statisticians will stick to *y*. Those committed to *x* are the ones with whom we may eventually have to think of ourselves as being at Hobbesian war. And believe you me, those who’d answer *x* live among us. But I think those that lean towards *y* might be persuaded about a right of exit. Indeed, if we can exploit an issue with *y*—call it territorial chauvinism—we might be able to make good headway with our case.

To the point: by virtue of *what*, exactly, does my living in some geography require my compliance with a single system encompassing some bundle of goods and services provided by the state? Why can’t I become a member of a Swiss-

Singaporean-, or Swedish-style system of administration? If your answer is “because you live in this system, not in another,” you’re arguing in a circle. I’m trying to find out what it is about my living geographically within this system or that that makes me duty bound.

One fair answer might be that there are *functions* of the state that are more or less linked to territory. We enjoy these functions just because we live in an area. But which ones? Let’s pull out the government functions that actually relate to the territory where one lives and focus on those. In the interest of convincing you I’m not crazy, I won’t get all anarchist on you and suggest privatizing everything under the sun. I want only to introduce a thought-experiment that is charitable to the idea of so-called “public” benefits while recognizing only the ones that people would enjoy *by virtue of their living somewhere*. Consider the following list of territorial goods:

- Transportation and Roads
- National Defense
- Police, Fire, and Emergency services
- Justice (Criminal, Tort, and Titling)
- Public Utilities (Water and Sewer)
- Penal, Psychiatric, and Reform
- Parks and Aesthetics
- Nuisance Court or Zoning
- Environment and Waste Disposal
- Identification and Immigration

I’m granting for the sake of discussion that territorial goods have an inherent “public-ness” about them. For example, police and defense should be considered territorial goods because it’s easier to free-ride on others who pay for these. In other words, I’ll benefit from national defense spending even if I don’t pay for it. Or, if police are cruising your neighborhood, you’ll benefit even if your neighbors pay and

you don't. There are other goods, like dispute resolution and property rights, that not only establish the "operating system" for a territory, but also set standards and legal precedents. It may turn out that some or all of these territorial goods would be better provided by the private sector. But let's agree that the items listed above can all be considered territorial goods, even though not all of these would be considered public goods in the economic sense, or fully privatize-able in Libertopia. (The economic sense of a public good is nonrivalrous and nonexcludable.)

All other goods, whether or not you think people ought to have them by "right" under some notion of "social justice," aren't really linked to territory. Nor are they public goods in the economic sense: i.e., my consuming those goods means someone else can't. It is also easy to identify who's using these goods and charge them for it. Health care, education, arts, etc. can therefore be considered another class of goods. In other words, these goods aren't really linked to territory in the way we think defense, roadways, and streetlamps might be because I can enjoy the benefits of health insurance risk-pooling and online education virtually anywhere I live. And while I may benefit from a tax-supported theater in my area, this is not a good that everyone needs or uses—such as roads or police protection.

And that brings us back to an important question: if I'm okay with your leaving the US and becoming a citizen of Sweden, or leaving New York and becoming a resident of North Carolina, why shouldn't I be okay with your right of exit from *any* nonterritorial system? If there is nothing intrinsically territorial about a system that provides goods and services like healthcare or education in a certain way, why ought I not simply be allowed to "exit" in the same way I leave Michigan to go to a state with a more favorable climate?

I think it's time we divorced nonterritorial systems from territorial systems of goods. Then, we should demand greater latitude to form nonterritorial systems across geographies based on our individual interests and beliefs. Of course, the devil is in the implementation. But the idea is simple.

Part II

I think it's time we divorced nonterritorial systems of goods from territorial systems. But how would this work?

It would take two fairly simple changes to the law of the land. That is, two new rules. These new rules would track with the two different types of goods-systems we touched on above. Let's call the nonterritorial systems "communities" and the territorial systems "territories." For communities we have a right of exit. For territories, we have a rule of localization.

A right of exit means:

- *Anyone can leave a community at any time as long as he or she has honored his or her membership agreement.*

You can be a member of any community you like. Membership in that community can have all sorts of provisions and conditions, but you can always disassociate yourself from that community provided the community has let you in to begin with. You can take all the resources you were once forced to pay in taxes and use them for resources to pay for anything—including your membership in a community (or multiple communities). It's that simple. You

may prefer the rugged life outside of community. From my point of view, that's your right.

Communities, which we've defined as systems of allocating or exchanging nonterritorial goods, can be highly diverse. With a right of exit, we have the possibility to unleash the creative forces of community. Some of these communities might be based on the area in which we live, but many would exist across territories. With no territory responsible for the provision of, say, health care, I might join a cooperative that pools risk across all the members. A certain number of people with preexisting conditions would be allowed to join, perhaps any number. As a condition of membership, I might also be required to pay for certain coverage items. Of course, this system would compete with other health-care communities for members. A competitor might require its members, say, to put aside a certain amount of money each month into a personal-health savings account. But membership might also cost less. Either way, it would be illegal to force others to join my chosen system. Instead, I could join the health-care system I thought was the most efficient, effective, or even the most morally upright. No system would depend for its existence on everyone in some geography being forced to join (a monopoly). It would, rather, be an issue of individual preference and ethical bent. While market forces would constrain the form and feasibility of any system, the system need not be "free market" as narrowly defined. One could opt into a communal arrangement just as easily as one could opt into a patient-driven model. And we would consider that her right as a sovereign human being.

Who knows whether communities would evolve to look anything like our contemporary political caricatures of Democrats and Republicans. People might cluster in all sorts of ways we cannot anticipate. With different incentives and competition among communities, even the most

“progressive” person might come to see the world differently. The staunchest individualist may find new social ventures for which he can’t resist volunteering his time and money. King-of-the-mountain politics simply wouldn’t be much a part of this new world. But moral suasion and marketing would most surely be. To get this change, we would have to introduce new rules. Then, each person can put his system (and his money) where his mouth is (and where his votes used to be).

I’m pretty firmly committed to a moral relativism of communities (though morality as such would get a lot more attention than the low-cost moralisms of the voting booth). That means a community might require pretty much anything you can imagine as a condition of membership. A community might want people to cluster together, as Amish or Kibbutzim. On the other hand, a given community could be as cosmopolitan as you please, with members from around the world connected electronically. You could theoretically agree to do things most of us find totally wacky in terms of, say, accepting restrictions on your behavior—though I hesitate saying that memberships would entail people getting to kill each other for either contract violations or fun. Barring the hard cases of personal choice (of which there are a few), the result would approach maximum pluralism. But not chaos.

What about territorial systems? A localization rule means all authority for such systems would be as local as possible. Consider this definition from Charles Murray’s *What It Means to Be a Libertarian*, which he calls a “principle of subsidiarity”:

- *Legitimate functions of government should be handled at the most local feasible level.*

The idea is that, the smaller the territory, the more likely you are to approach unanimity. In the absence of such unanimity, it is at least that much easier for people to move to a territory they find tolerable. When any task or administrative function is carried out at the most local feasible level, a state government, for example, would never deal with roads if territories could. Territories would not deal with streets if neighborhoods could. Of course, as a corollary to our rule of localization, we might also want to set the area of a basic territory, initially. The area should be reasonably small—say, 546 square miles. (This is the size of Mecklenburg County, North Carolina where I grew up.) After all, we would want to draw territorial boundaries in such a way that it's easy enough to move out, but large enough to get economies of scale. If our *localization* rule required wider geography—say for regional highways or national defense—then levels of authority would transfer up and territorial boundaries, out. But compared to today, there would be a lot less authority up-and-out and a lot more down-and-in.

Decentralization and local empowerment would follow these rule changes. A federal government might end up having responsibility for an extremely narrow set of goods—like national defense and a court of ultimate arbitration (a Supreme Court of sorts). Otherwise, you'd have the common law and probably no legislatures outside of territorial boards or councils. It's not at all clear what states would have responsibility for, if they needed to exist at all. States might handle disputes among territories or be responsible for planning and coordinating certain emergency functions territories couldn't handle. They might deal with the administration of interterritorial road projects. The common law would handle most environmental problems, as we'll see. With states becoming an artifact of centralization, I apologize in advance to college basketball fans.

In any case, I can't see any way around people paying some form of taxes to territories under this system. Such might take the form of a modest consumption tax (sales) or even some form of Georgist tax (property). While extreme libertarians might like to hear me call all taxation theft, there are arguably basic functional aspects of territorial goods that make all the rest of commercial and social life possible. While one might be convinced that these can all be provided privately—and in the interests of justice, should be—I will leave our simple rules—a right of exit and localization—as a happy medium between the status quo and a seemingly impracticable Libertopia. Believe me, I would like to banish all forms of coercion from the earth. But for now, I'm willing to settle for shrinking it as much as is feasible.

Let us take heart, though: taxes would be relatively low in territories that dealt only with police, defense, and territorial justice—particularly given competition from neighboring territories happy to take your citizens. If a territory provided territorial goods and services that citizens really liked, they might be willing to stay and pay more in taxes. As anyone can see, this is much easier to determine locally than nationally. Sound roads and attractive thoroughfares are right in our faces. Intergenerational Ponzi schemes like Social Security are not. Again, limitations on the size of a territory and its functions—due not only to *localization* but to tax competition among territories—would keep taxes reasonably low. Experimentation in both revenue collection and provision of these localized goods would ensure policy iterations that could be mimicked or scrapped. In short, lower taxes and higher quality would be far more likely to result.

Unity in Diversity

Before we get into the deeper question of justice, let's indulge in a detour for a moment. In his great work *Philosophical Explanations*, Robert Nozick invited us to consider the idea of organic unity. The idea, roughly, is that within any system there is value in the balance of diversity and unity—whether in systems of art, science, or society. Maybe he was inspired by the dollar-bill dictum *e pluribus unum*. Indeed, Nozick might have offered *ex uno plures*. Either way, diversity and unity were mutually constraining, according to Nozick—a sweet spot between rigid order and chaos. He asked, “Can we draw a curve of degree of organic unity with the two axes being degree of diversity and degree of unifiedness?” The diversity axis will constrain the unity axis and vice versa so that both achieve a kind of stasis. The beauty of Nozick's graph, apart from its simplicity, is its appeal to some intuitive notion of value in balance. Why would any such notion be important to our idea of society?

The truth is, people are different. They have different conceptions of happiness and the good life. From our view, forming society is not about finding a singular ideal to be crafted by statist or libertarian masterminds. Rather, it is about acknowledging our differences, accepting them as a fact of life, and unleashing the creative forces that arise from those differences. But something has to unify us.

Enter the rule of law. Sadly, like “public good,” the rule of law is a phrase that has been perverted over time by both postmodernists and political opportunists. In order to get maximum unity constrained by maximum pluralism, we have to think about the rule of law in a narrower way. In other words, the fact of some elected assembly's getting a bill through the legislative sausage-grinder does not make said bill right, good, and prudent. In the stricter definition, the law must apply equally to everyone and privilege no

person, group, or industry. That's what we mean when we say rule of law. And we have carefully to guard that meaning from men who crave authority and their supplicants.

Under our proposed system, things are much clearer and far simpler. The effect of our two simple rules would amount to a massive reboot complete with a whole new operating system. We would end up dismantling the big ole byzantine edifice of federal and state legislation and replace it with new, bottom-up rule-sets established by communities and territories.

At the core of all this lies the idea that people shouldn't be harmed. Force is harm. Theft is harm. Fraud is harm. A constitutional prohibition on force, theft, and fraud takes us very far in establishing a social system that yields peace, prosperity, and pluralism. The unifying aspects of our society become free contract and some ultimate arbitration body. But at the very center of our constitutional order, we should be able to find a non-harm principle. Some of my fellow libertarians think contract is enough. But an institution of universalistic justice built on a principle of non-harm, however, provides both a constitutional guide for ultimate dispute resolution and an object worthy of our reverence.

In the U.S. Declaration of Independence, the object of reverence was once an unalienable right to "life, liberty and the pursuit of happiness." In the Constitution, there are the enumerated rights. And while we may quibble over the philosophical origins of "natural rights," writing down the principles of a people has powerful connotations upon which a culture of freedom may be developed. A culture of freedom is essential to the survival of any formal institutions that enshrine freedom.

There might be places for caveats in all of this. But I hope two rules and a principle are enough for a good start. In the search for rules that maximize the number of possible communities available for people to join voluntarily, a right of exit and a rule of localization take us far, indeed. While they would not be perfect, nor perfectly libertarian, these two rules would represent a giant move away from the status quo. They would mean a leap towards a thousand so-called “intentional” communities. Experimentation would flourish, all of which works toward the ends peace, prosperity, and personal sovereignty. I need not go into the economic benefits that would come about—benefits that would increase our pull to social entrepreneurship. And by having communities to join, we can still satisfy our clannish instincts. The only price would be never being able fully to indulge the urge to dominate others for the sake of a single utopia. Persuasion would finally rule power.

The Practice of Panarchism: Building on Max Borders' Panarchist Vision

With Max's wonderful essay as a backdrop and point of reference, I would like to submit a few simple ideas I believe compliment Max's vision, and suggest that something like his vision is realizable in the near future.

The Challenge of Libertarianism

The challenge of libertarianism is to conceive and implement a uniquely libertarian political practice as a compliment to libertarian scholarship. A libertarian political practice will be consistent with the libertarian ethical code that condemns coercion as a means of social exchange.

The statist believes that granting the libertarian exit from his system will be harmful to his, the statist's interests. In most instances, the statist's system, as Max writes, "depends for its existence on everyone in some geography being forced to join." What the libertarian considers liberty, the statist considers aggression, since in many cases the statist's very livelihood depends on everyone in some geography being forced to contribute.

Thus, the challenge of libertarianism is to find a peaceful, noncoercive form of political action that libertarians can practice in an atmosphere where political pluralism is outlawed, and political separation is deemed an act of aggression.

Panarchism and Traditional Libertarianism

If we take Max's panarchist vision exactly as he presents it to us, we are given a conception of libertarianism that is not what we were taught to expect by libertarianism of the last fifty years. Traditional libertarianism sought to replace statist laws with libertarian laws while retaining statism's geographical and monopolistic features. The intent of this traditional libertarianism was to arrive at a righteous moral absolutism as the basis for libertarian laws that would supplant statist laws as the laws of the land. In stark contrast to this conception of things, Max writes: "I'm firmly committed to a moral relativism of communities." Thus, we are moving away from the assumption that a prerequisite of libertarian society is a universally accepted set of moral or ethical values

Moral relativism is central to both panarchist and traditional libertarian social theory. But since panarchism rejects a monopoly on law it is able to embrace moral relativism, whereas traditional libertarianism rejects moral relativism since it embraces a monopoly on law. Traditional libertarianism is founded on a philosophical rejection of moral relativism based on the assumption of a legal monopoly in any given geography.

The term *neutrality* more accurately characterizes the central outlook of panarchist philosophy. Regardless of how someone else's moral or ethical code may appear from the point of view of his own, the panarchist takes a stance of neutrality with respect to the ways of living that people

choose for themselves. A panarchist can do this because in advocating voluntarism and in rejecting coercive monopolies, the panarchist does not consider the moral or ethical codes that guide or bind others as binding on himself. The panarchist looks upon members of other moral or legal communities just as a religious person looks upon members of other religious communities. To the panarchist, political affiliation is a matter of conscience, and he has no desire to impose his preferred political way of life on others.

The extent to which one can be neutral with respect to the ways of life other people choose for themselves is the extent to which one can live peacefully together with people whose values differ from one's own. This outlook of value neutrality is what enables one to look upon one's fellow citizens not as evil practitioners of immoral beliefs, but as fellow human beings with *different* moral beliefs. From a libertarian point of view, what characterizes our age is that many of our contemporaries share a belief in territorial statism.

That statism is *absolutely* incompatible with libertarian society is the position taken by traditional libertarianism, and therefore libertarian society is considered largely identical to the universal abolishment of statist society. When libertarianism is a monopolistic conception, then libertarianism is the active attempt to abolish all statist political forms, even those that bind others, regardless of the desires *of* those others. In this conception, person A views his own envisioned legal code as moral and the legal code that now binds him to B and C as immoral. As he presupposes that each legal code must have a geographic monopoly, he therefore seeks not only to emancipate himself from these immoral legal binds, but also to eradicate these legal binds between B and C, and interpose between B and C legal binds that he considers morally proper. In this monopolistic conception of libertarianism, the ideas of *individual* secession and *individual* political self-

determination are generally absent. As person A considers his own envisioned legal system absolutely moral and all others absolutely immoral, then one who proposes to secede from *his* legal system and adopt different moral and legal practices necessarily acts immorally and illegally. In this conception of “liberty,” individual secession and individual political self-determination are generally looked upon as immoral and illegal acts.

By contrast, panarchist political philosophy begins with the idea of individual political self-determination. Reasoning from the premise of individual political self-determination, panarchists are lead to a vision of political pluralism and political coexistence which includes the possibility of statism as a form of political organization that, especially as a legacy of the past, may continue to bind some people to the extent they are either unwilling or unable to change their political situations. Panarchist political philosophy is consistent with varying degrees of emancipation from statist society to the extent individuals—alone or in groups of volunteers—are willing or able to attain such emancipation.

Exactly *how* political coexistence comes about and what form it takes is conceived differently by each social thinker. In Max Borders’ vision, statism endures as a political form owing to the difficulty in separating some goods from a territorially based system of provision. The point is not that a free-market system of providing such goods is impossible or inconceivable. The point is that we can rank various goods according to their suitability for nonterritorial systems of provision, and then we can construct a libertarian society *beginning specifically with the goods ranked easiest to exchange nonterritorially*. We can leave the goods ranked most difficult for a future time. We don’t have to change everything at once.

It is noteworthy that the Borders vision is comprised of one part statism and one part moral relativism. Traditional

libertarianism seeks to extirpate both. The anarchist vision is a *fundamentally* different conception of libertarianism (one is reminded of the new conception of physical reality occasioned by quantum physics). If we follow the logic of what Borders is describing, the political vision advocated by any libertarian person or group is understood as applying only to that person or group. Each distinct libertarian ethics system, to the extent it is adhered to, is adhered to by those individuals who voluntarily choose it, thereby constituting an identifiable community. Each identifiable libertarian school of thought is a community bound by its common code of morals or ethics, coexisting with an unlimited number of other communities bound by different codes of morals or ethics. The utopianism of libertarianism, to the extent it is realized, is realized within each voluntary community; it is not a utopianism that is imposed by one community on another.

A Simple Voluntary Community

Following Max, I would also like to introduce a thought experiment, a thought experiment that is consistent with Max's anarchist vision. This thought experiment involves the Internet and it involves voluntary and nonterritorial associations.

For this experiment I assume that ten thousand libertarians voluntarily agree on some course of action. If a particular project is worthwhile, it should be possible to get ten thousand libertarians from around the world to participate (and by "libertarians" I mean liberty seekers whatever their self-chosen label). These ten thousand libertarians agree to attach an invoice to every e-mail they send to one another, billing one another for "correspondence and intellectual services" at the rate, let's say, of a penny an hour. As for settling accounts, we can leave that to be decided. I assume that there are various options for settling accounts.

I want to make it clear that I'm not talking about a clandestine operation, secret agreement, or underground association. What I have in mind is something that is done totally out in the open with no attempt made to conceal it. In fact, openness and transparency are part of the idea.

If ten thousand libertarians were to do something like this, they would essentially have established their own trade agreement, voluntarily and nonterritorially, coexisting with the wage and trade laws of the territorial state of which they are compulsory members. This voluntary agreement, constituting a kind of nonterritorial community, would be consistent with the libertarian ethic proscribing coercion. It would be entirely voluntary among members, and it would not entail any coercive acts toward non-members, not even toward statist.

The Conception of a Panarchist Community

Part of this conception is the idea that the active attempt to abolish statism or statist institutions need not be part of a consistent theory of libertarianism. If the goal is to establish voluntary, nonterritorial, and noncoercive communities that coexist with already existing communities—whatever their nature—this need not entail a positive attempt to abolish or alter existing institutions (existing wage and trade laws for example). Those may remain in place and the question of what to do with them need not be the concern of libertarianism nor the concern of any particular libertarian. If we assume that new forms of association begin to emerge, and these forms are not matched by corresponding laws and regulations in the law books of the territorial state, the question what to do about this situation need not be a concern of libertarianism or of any individual libertarian. It may, in the judgment of the libertarian(s) concerned, be a matter that is left up to those who control or desire to control

the laws and regulations in question. In other words, when emergent communities form, it is a matter of personal judgment whether a member of an emergent community desires to actively participate in the statist system of which he remains a compulsory member. The adjustment of old laws to reflect a newly emerging political reality does not have to be the concern of a libertarian if the old system is one he is not interested in or if it is a system he does not support on moral or ethical grounds. He may choose to direct his energies toward the creation and maintenance of those communities he has voluntarily joined.

Obviously, a person may belong to two or more communities at the same time. A person may be a member of a church, an ethnic community, a housing development, a book club, and so on. In the same way, a person may be a member of a compulsory community—to the extent he is unable or unwilling to emancipate himself from such a community—and a voluntarily joined community. A person who works at a local store, and the owners of that store, may be subject to a set of compulsory wage and trade laws, and may, for practical reasons, not be able to avoid being subject to those laws. But the same individuals could conceivably be part of the abovementioned community of ten thousand libertarians, and could thereby be unified by a different set of voluntarily accepted wage and trade agreements. A person may be bound in one instance by Borders' territorial laws and in another instance by his own voluntarily accepted laws. We need not conceive that a person is bound by coercively imposed territorial laws because he *chose* such laws. We may conceive that he is bound by these laws because *for practical reasons, he is unable to avoid them*.

The statist element of a panarchist social vision need not be conceived as *intentionally designed*, since the state already exists as a legacy of history. The voluntary and nonterritorial communities as envisioned by Borders can be conceived as that part of society libertarians *aim for*, and as

these communities emerge, part of statist society is left and still exerts influence as a legacy of the *past*. Of course, individuals, of their own volition, may attempt to reform statist society. But the important point is that a social vision in which statism is *accommodated*, need not be a social vision in which statism is *sought*. A consistent theory of liberty may acknowledge statism and accommodate it theoretically as the political condition from which liberty emerges.

The Practicality of Panarchism

The obvious question concerning voluntary nonterritorial communities is, why would the state allow such communities to form? And the answer is, it is not a question of whether the state allows voluntary communities to form, but a question of whether for practical reasons the state is able to stop them from forming.

The ten thousand member community mentioned above is only one community out of thousands and perhaps millions of possible communities that could be formed and replicated across territorial borders, in short time, and with little effort or cost. Such communities could be formed with a few simple computer keystrokes while people remain in their homes.

But while such communities are easy to form and replicate, and while they could proliferate rapidly with little cost, preventing such communities is potentially cost-prohibitive. If enough people and groups got involved in forming thousands, and then millions of voluntary communities across territorial borders, shutting them all down might require shutting down the Internet in combination with a prohibitively expensive expansion of the state apparatus.

On the one hand a large and rapidly expanding number of communities could form on a nonterritorial basis. The cost and effort to form such communities is minimal. These communities would be libertarian by nature, voluntarily accepted by all members, nonterritorial, and easy to replicate. They would be nonthreatening in the physical sense (nonviolent, noncoercive, etc.) because forming such communities does not require that any actions be taken towards nonmembers or towards existing political institutions. The threat posed by such communities, and the gain to be had from preventing them, in physical terms, is minimal.

On the other hand, preventing such communities from forming could be prohibitively expensive. All Internet communications would have to be monitored and legal proceedings would have to be initiated potentially against millions of people. At issue is not only the feasibility and cost of such a large-scale monitoring and enforcement operation, but also the difficulty in defining the infractions themselves. The distinction between a voluntary association and a prohibited voluntary association, one assumes, must be a difficult one to define.

Rather than list here the many possible approaches to such voluntary communities and the pros and cons of each, I assume that as time goes on, various ideas and possibilities along these lines could be discussed. The main point I would like to make is that *in principle*, it is possible to concretely establish the beginnings of panarchist society while at the same time adhering to a consistent noncoercive libertarian ethic. Voluntary nonterritorial communities can emerge and constitute nascent societies peacefully coexisting with contemporary statist society. And these emergent societies do not require that their members actively attempt to alter or abolish existing political institutions. No violence or coercion is necessary to establish them; only peaceful, coordinated action among like-minded people is necessary.

This is one part of the puzzle. The other part of the puzzle is the realization that it is not necessary to change the ideology of statist. These emergent communities do not require a change in existing political structures or in the ideology of nonmembers. As the actions that form these communities are entirely voluntary and noncoercive, then no “permission” need be sought when forming such communities. From the point of view of libertarianism, voluntary communities of this nature are of the same political status as *conversations* or *meetings*. They are peaceful social interactions that have no violent or coercive intent. To this extent then, libertarians need not request nor be granted any special permission to form such communities. Nascent anarchist communities may be established unilaterally.

In summary, I submit that the establishment of anarchist society is a practical question more than an ideological question. To the extent that ideological change is still necessary for the emergence of voluntary communities, this change is required *within the libertarian community*. This has been a consistent theme of anarchist arguments, beginning with John Zube’s “Notes for a Talk on Anarchism to Anarchists,” continuing with Aviezer Tucker’s “The Best States: Beyond the Territorial Fallacy,” and argued with increasing frequency by anarchist writers in the first decade of this century. What is preventing liberty from emerging is that the libertarian conception of liberty has been self-defeating. Libertarians have been arguing for a universal territorial utopia rather than nonterritorial individual sovereignty. They have sought to place the individual in a society designed by others rather than seeking individual liberty from which society would receive its design. If libertarians begin to coalesce around a nonterritorial, nonmonopolistic social vision based on individual political self-determination, the means exist for the concrete establishment of libertarian society. Then the ethics of liberty will be something we practice rather than something we only write and talk about.

