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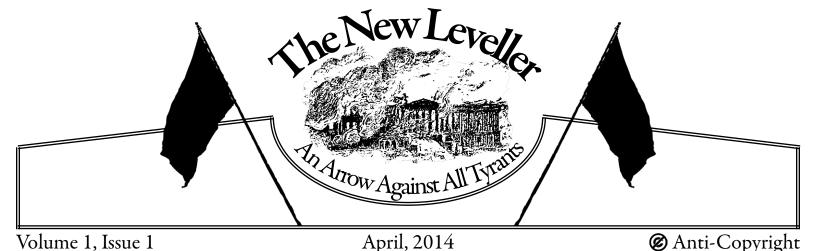
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Anti-Copyright

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"Utopia? No. Necessity."

-Karl Hess



For a New Levelling

In 1646, one of the earliest statements of libertarianism burst through as "An Arrow Against All Tyrants." It was "shot from the prison of Newgate into the prerogative bowels of the arbitrary House of Lords and all other usurpers and tyrants whatsoever" by Richard Overton of the Levellers.

The Levellers were a group of English radicals who rebelled first against the King, and then against Cromwell (an arrow against all tyrants is an arrow against all tyrants, even those who call themselves "Lord Protector"). This was because they held firmly to what Leveller pamphleteer John Lilburne called "freeborn rights," a powerful acknowledgement of the "self-propriety" which must be respected in order for individuals to flourish.

The Levellers didn't like the term "Levellers," though, preferring "Agitators." This was because they felt that "Leveller" misleadingly implied they wanted to reduce everyone to the same level, and as individualists, they didn't.

So why call this publication "The New Leveller?" Why use a name from the 17th-century that wasn't even liked by the group that got stuck with it?

We proudly take on the name "New Leveller," because as individualist anarchists, we are their philosophical descendants. Furthermore, even if they didn't see it this way, there is something they were working to level, and it still needs leveling.

Expecting justice, we are instead given a truly criminal system based on criminal law. The emphasis is always on punishing the criminal for their sin against the State, not on restoring what can be restored to those who've been harmed. Victims are robbed of restitution, criminals (and non-criminals) are hardened by soul-destroying prisons, and police roam the streets like an occupying army.

Expecting defense, we are given instead the military. It risks the lives of the well-intentioned and desperate by forcing them to bring death and destruction overseas. In turn, they make civilians less safe by emboldening possible threats.

Expecting to find productive fulfillment, we are instead given the monotonous routine of the modern workplace. Alternatives are eliminated by endless webs of regulation, and resistance is quelled by labor laws that reward the tamest unions with the most self-serving bureaucracies.

Expecting education, we are instead given the State's schools and their imitators. The creative and self-motivating impulses of youth are beaten out of us, and we are taught to accept the dominant culture's narratives. At those ages where schools are compulsory, they exist to make children equate success with obedience, and at the college level, schools exist to keep stratification stagnant.

This could go on forever. Goals of genuine merit are distorted by power into institutions that tower over us and compel us to serve their interests rather than our own. Patterns of subordination – not only the State itself, but its similarly structured cousins like managerial capitalism, white supremacy, patriarchy, and heterosexism – shove us around and force us to live within their walls.

We are born under their control. We die under their control. Every step we take is taken, every word we speak is spoken, and every night we sleep is slept with them towering over us.

Having lived in this prison for so long, we start to forget what life might be like on the outside. Moss has grown over those old gray walls and they start to look like nature.

"Individualist anarchism" is the word for wanting out. It is the word for knowing that we can't escape by removing one brick at a time, since it will just be put back elsewhere while we're not paying attention. For understanding that the only way to escape this prison is to level it.

Before anyone misunderstands what that means, I am not advocating terrorism. I am advocating something much more serious.

The prison in which we find ourselves is not a physical prison, but a social one. Its bricks and mortar are the beliefs and practices by which people submit to the State and other forms of domination.

The policeman's power springs more from his badge than his gun. If a good thousand of us resisted his gun, we would win. Yet he can still use that gun however he wants, because so many of us bow to the badge.

So what must be done must be a social leveling. We must withdraw our support from those institutions that stunt our development as individuals, and let them fall at our feet.

They will fall, too. They will fall because despite the best efforts of our guards, the Levellers are still right, and human beings are born to be free. As freeborn creatures, we can only produce when at least some of our action is left free.

So even with markets distorted by violence into places of capitalism, and even with civil society distorted by violence into a community of sexism, racism, and heteronormativity, they are still products of free action en masse. As products of free action en masse, they will necessarily eat away at the walls of domination like an acid.

Despite our captors' best efforts, markets still bring us alternatives to the mess room's slop. Despite our captors' best efforts, civil society still breaks down the walls between our cells and helps us unite against the jailer on patrol.

To help spur this almost inevitable social leveling along, we have to harness the energy of free action at the root of markets and civil society. We need a spirit of radical individualism. To get that, we must remove the spirit of obedience beaten into us and grow back the self-respect beaten out of us.

Like the original Levellers, we have no desire to level everyone to the lowest common denominator. What we want to level are the walls that hold each one of us back from pursuing our particular, self-directed destinies, from living our fullest lives.

We are Levellers who understand why we are Levellers.

The Cult of the Constitution

Cory Massimino

Editor's Note

This was written in response to the taping of the *Stossel* show at the International Students For Liberty Conference in February, 2014.

Last weekend I had the pleasure of attending the taping of this week's Stossel show. The episode as a whole was excellent and informative. Unfortunately there was one segment that exposed the painfully awkward fetish that conservative leaning libertarians, classical liberals, and minarchists have for the Constitution.

During the segment on the Constitution, Stossel threw pocket Constitutions out to the audience. Some of the students loved the document so much, they were leaping up into the air and diving onto the floors just to get their copy. To make matters more awkward for us anti-constitutionalists and adamant non-patriots, a concentrated "USA!" chant broke out during the frenzy. I felt as though I had been transported to the RNC conference where we all prayed to a piece of paper.

Stossel's guest was Timothy Sandefur, the author of *The Conscience of the Constitution*. Despite acknowledging the Constitution's repeated failures at restraining the state, Sandefur remained unyielding in his adoration for the document so close to his heart. In a strange turn of events, the Stossel taping suddenly felt like a biblical awakening. Sandefur explained how when he was in 9th grade he "fell in love with the Constitution," and following the Tinker vs Des Moines Supreme Court case, "the Constitution reached out and touched" him.

Never before has the comparison of statism and religion been so on point.

My mouth was agape at this love fest and I was eager to get up to the microphone so I could ask Sandefur about the Constitution's lack of authority. I also wanted to bring up how the document was a move towards a more centralized, authoritarian, corporatist government.

I was curious why Sandefur was so in love with a document that claimed authority over him, despite him never signing it.

I wondered why an apparent proponent of small government was such an ardent supporter of a document that, as described by Murray Rothbard, was "a radically nationalist program that would recreate as much as possible the preliberal situation existing before the Revolution. . . . In short, they were able to destroy much of the original individualist and decentralist program of the American Revolution."

One of the rationalizations espoused for reworking the Articles of Confederation was an outcry for more tariffs to rescue the fledgling, post-war economy. One of the Constitution's biggest proponents, Alexander Hamilton, wrote "It is therefore evident, that one national government would be able, at much less expense, to extend the duties on imports beyond comparison, further than would be practicable to the States separately, or to any partial confederacies." In other words, the Constitution was a piece of mercantilist legislation designed to protect American businesses from foreign competition. It was one of the first instances of large scale rent-seeking in American history.

Another justification was the need to repay the massive national debt that was racked up during the war.

Aside from voluntary state contributions, the federal government had no way to pay back the \$40 million it owed to various European governments.

But since when has the government obtained revenue and spent it only on what they said they were going to? The States were rightfully hesitant about handing over millions of dollars to the Federal Government. They believed their contributions weren't going to be limited to just paying off the debt, but also spent on various crony projects and creating bureaucracies.

Furthermore the certificates had significantly depreciated in value. Many of the initial holders of the debt were workers of modest means and couldn't hold onto the certificates. They sold them to get much needed money. By the mid-1780s most of the debt holders were affluent speculators. It made sense, then, why these wealthy security holders had

a financial interest in creating a central government with the power to tax.

Even non-anarchists need to recognize the Constitution's tyrannical origins and view the document with considerable skepticism. The arguments put forth by Spooner, Tucker, Nock, and other individualists of the late 19th century against the Constitution have an important place in historical libertarian literature. Yes, returning to a Constitutional government is preferable to the one we have now. However, it was a step down from the Articles of Confederation, which were, themselves, too much government for my taste.

Sandefur and the rest of the Cult of the Constitution should stop gawking over how great the document is. It was nothing but a scheme enacted by big business looking for protective tariffs, and wealthy debt-holders wanting a government with the power to tax. The Constitution was responsible for creating the beginnings of the centralized, corporatist, tyrannical bureaucracy we see today.

Markets in Law

Jeff Ricketson

One of the greatest benefits markets offer is variety. By providing many and varied substitute goods and services, they ensure that nearly everyone meets their needs in a way that balances quality and price efficiently. One of the greatest problems with monopolies is their ability to force customers into one-size-fits-all economic arrangements. Without variety, those that cannot afford the monopoly price must go without the good or service. Among those that can afford the monopoly price, those who want the service must pay more than is efficient to receive an amount other than what they really need.

Even worse than simple monopoly is enforced consumption of monopoly goods. When consumers must purchase a good that is provided at monopoly price, even those who would not otherwise participate in the industry (such as those who do not benefit from the service even when provided) suffer from the economic inefficiency. This is the case with many government-provided goods and services, like education and roads. However, there is no greater instance in which this problem is apparent than in law.

As Gustave de Molinari argued in his paper "The Production of Security", economic laws of production impact law and law enforcement every bit as much as any other industry. Under a law monopoly, all the same criticisms of other monopolies apply. The price will be as high as possible without rebellion, and the services as cheap as possible. The only difference is what counts as "profit" under a government. Because bureaucrats have little access to the fiscal profits the government is capable of producing, they do not concern themselves primarily with the monetary gains or losses of their enterprise.

Instead, their goals are power, control, prestige, privilege, respect, etc. Politicians provide whatever services and charge (in the form of taxes, fines, regulatory pressure, etc.) whatever amounts get them these things.

Instead, if a market were allowed to provide security, the firms protecting individuals' rights would have every reason to provide the protection their clientele could and would pay for. Unlike government, a firm in a market cannot force people to purchase their product, anyone else's product, or any of the product at all. Their prices and services would be based on supply on demand: what is possible to provide at a given price, and how much is wanted at that price. There would be a strong check against power-grabbing and mass corruption, because either of these would result in the mass cancelation of their customers' policies and failure of the firm.

Some might criticize law markets by saying that under a polycentric law model, the law between any pair of individuals would be different from between others. This would lead to situations where no written code of law could evolve. I contend that this is, in fact, a desirable quality. It is certainly true that the law should not be the same for two people who are very different. Differences in culture can easily give rise to differences in what amounts to fraud. A contract stipulating that one party will provide a "lift" constitutes asking two very different things depending on where in the English speaking world the contract takes place. The impossibility of a strictly codified legal regime would force courts to fall back on ethical principles rather than adhere to the arbitrary will of a tyrannical government.

Another criticism of private law is that it would be very difficult to protect large estates. Again, this is actually a benefit to the system. When the poor pay, more or less, the same amount for police protection as the rich do, it is easy for the rich to have all their property protected at the expense of the poor. If the rich had to bear the full cost of their protection, they could no longer use the police as a means to exploit the poor. This, aside from being just, is desirable as a natural check on how much the rich could influence the legal industry. It is also why the rich could never buy an army to re-establish their government. The cost of weapons, armor, hazard pay, healthcare, and maintenance would be prohibitive. The hired firm could never make more money by serving one rich entity than it could by serving as many smaller entities as possible.

Clearly, market forces apply to all people, as they are simply the forces that determine our choice. Given that law must be made by people making choices, we can say that law is no different of an economic enterprise than any other product. For anyone who believes markets in scarce goods are desirable, a market in law is desirable.

"And we do not hesitate to add that after this reform has been achieved, and all artificial obstacles to the free action of the natural laws that govern the economic world have disappeared, the situation of the various members of society will become the best possible."

—Gustave de Molinari

No Dialogue with War Criminals

Grayson English

Following the announcement that John Brennan, current Director of the CIA, was to attend the President's Associates Dinner at the University of Oklahoma on February 26 as a guest of honor, several student groups in Norman took up the task of organizing a protest. The primary message of the protest was to indicate to the public that, by extending an invitation to Brennan, the University of Oklahoma indicated that it was unconcerned with, or even *supportive* of, Brennan's actions. The students that participated in the protest feel his authorization of drone strikes, which resulted in the deaths of innocent civilians, his refusal to acknowledge domestic surveillance, and his support for the executive power to assassinate people (including American citizens) without trial; all constitute egregious abuses of power.

We held up signs and passed out flyers as people entered the building, and during Brennan's speech, we got the attention of the audience by chanting "No more drone wars." Though I obviously was not in the room, I heard from multiple people that Brennan actually stopped his speech to address us to the people attending the dinner. I was informed by an attendee that he "thanked us" for protesting and "engaging in the national dialogue" on drone strikes, extraordinary rendition, and executive authority to assassinate individuals without trial. I'm sure he found this little jab quite amusing, sitting comfortably in the ballroom of the Student Union, delivering a self-congratulating speech to a crowd of admiring old friends and ambitious students. According to our University's President, David Boren, Brennan even privately joked that he "would have been disappointed" if there had not been a protest.

Following Brennan's departure, we stuck around for a bit to talk to other attendees. Many took our flyers or listened to our explanations for the protest. However, there was a very concerning notion that seemed to be floating around among the attendees.

Brennan's flippant and dismissive attitude seemed to resonate with several people, who, in various ways, expressed to us that we "should have attended the dinner," like proper politically engaged students.

"He fielded very difficult questions," many people assured us; "He would have gladly addressed your concerns." They wanted us to engage in a conversation with Brennan as if our ideas were equally legitimate. What these people fail to see is that there is no such conversation. We are not interested in "conversing" in such a hollow way. That rhetoric is part of a shameless attempt to legitimize the murders committed by agents of the state as "merely the other side of the debate." It is murder. It is not up for debate. We don't want a place at the table. We want to flip the table over. The CIA and U.S. Military are not "protecting our rights," they are shamelessly ignoring the rights of populations abroad. We protested, not simply because we disagreed with Brennan coolly, as one might with a misguided friend, but because we wanted to make it clear that we do not respect his actions or his morally bankrupt justifications. We do not support giving a war criminal the floor. We aren't here to converse. We're here to shut down tyrants and dismantle the institutions of violence in our political sphere.

Toward an Anarchy of Production, Part I

Jason Lee Byas

Editor's Note

Individualist anarchism has often been described as a kind of "free market anti-capitalism." Individualist anarchism supports a "free market" in the sense that it supports private property, money, commerce, contracts, entrepreneurship, and the profit motive. Not only do we oppose any violent repression of those things, but we welcome their presence as crucial to a free society. Individualist anarchism is "anti-capitalist" in the sense that it supports mutual aid, worker autonomy, and wildcat unionism. Any society marked by the domination of labor by capital is one that we oppose. Therefore, it's important for individualists to show why libertarians and free marketers should oppose capitalism, and why leftists, anarchists, and anti-capitalists should support freed markets. This piece is the first in a series on specific arguments for the latter. This installment focuses on the cultural importance of the market process.

Any society worth calling "anarchist" is going to be one that can continually adapt to the needs and desires of the individuals within that society. This adaptation must also be to the interests of the entire community, not toward the limited aims of a specific class of people. There must be ceaseless social experimentation, and there must be incentives toward developing institutions that benefit everyone and weeding out those that don't.

This requires markets, which are uniquely able to account for variation in ways that other, more deliberately constructed social arrangements cannot. That information-gathering function of the market process is typically just praised for its efficiency, but this overlooks its potential as an engine of social change.

To better understand this point, we can consider what an attempt at anarchist society without markets would look like. In such a community, all important resources¹ are either seen as being owned by the community at large, or not really "owned" by any one person in particular. Decisions about resource allocation are made through gift or democratic planning. Explicit trades, especially when mediated by some other good functioning as money, are either absent or extremely rare. (The world I'm considering is one that we might describe as *anarcho-communist*.)

Even assuming away efficiency issues, how can we expect this society to adapt to changing social conditions? Not well. When your source of food is either owned jointly by everyone or by no one in particular, difficult decisions must be made on its use. To prevent shortages, not everyone can always have as much as they want, and there must be a mechanism in place to keep enough for everyone. Given that social problems and oppressions can't just be reduced to either the state or capitalism, such an arrangement is problematic.

In no small way, a communist society ties one's ability to live – and one's ability to live the kind of life they want – to their ability to maintain good social standing.

This might not seem too awful when we're talking about restricting away from some activity that we ourselves find repugnant. For example, refusing to allow a white supremacist to use the community-owned printing press in order to distribute his newsletter. Unfortunately, though, a society without the state and capitalism is not necessarily one of perfect people who understand and actively reject all kinds of oppression.² For instance, it seems likely that many communities will refuse to distribute medical resources toward providing sex reassignment surgery. Similarly, on a smaller-scale, one's readiness or hesitancy to provide for another purely by gift is subject to those same forces.

An anarcho-communist might respond by emphasizing the "democratic" nature of the planning they favor, but this mistakes the nature of the problem. While face-to-face deliberation is likely to render more equitable arrangements than some Leninist model of overt command and control, it is also exactly the situation in which the more subtle aspects of privilege and oppression are most at play. Whatever more limited social evolution occurs will be tampered by the implicit biases that influence us in more direct forms of communication.

Those who are skeptical of this claim should think back on all the meetings and face-to-face deliberations of which they've ever been a part. At an individual level, people with more charismatic personalities are likely to have their views taken much more seriously. This especially true when the person in question is white, male, cis-gender, heterosexual, able-bodied, and has received more formal schooling than others in the group. That these deliberations might have the official designation of "consensus" does not mean they were not subject to domination.

By contrast, two of the most important features of markets are radically decentralized decision-making based on distributed knowledge, and the availability of alternatives. In market transactions, one does not have to convince the community at large of the goodness behind one's use of a given resource in order to use it, they just have to provide value for value.

Sometimes socially conservative circles will attack the depravity of "crass commercialism," frightened by the way markets threaten the existing order's values. There's a good reason for that. When your acquisition, use, and trade of resources cannot be regulated, the effects of one's less-favored social status are likely to not be nearly as awful. Within a market, people can act more directly on what they believe is genuinely best for them, even when the reasons for that are difficult to communicate to those in more privileged positions.

By creating new profit opportunities geared toward those preferences of the oppressed, the seemingly impersonal market process becomes a never-ending social critique, always backed up by immediate direct action. Adverse social pressures like bare intimidation are not absent in markets, to be sure, but they are much less powerful. While this is obviously an empirical claim beyond the scope of the present article, it seems plausible that much more progress has been made by defending the property rights of queer establishments and providing that space for autonomy than any explicit campaign against homophobia.

None of this is to say that mutual aid, joint-property, gift-economic activity, or social persuasion are bad things, nor that everything should be reduced to explicit contractual exchanges based in money prices.

Any society worth living in will foster healthy networks of mutual aid that interact with one another through commerce, and often collective action is necessary for the most efficient kinds of market activity.³

In a free society, I expect the lines between "market" and "gift-economic" arrangements to get blurrier and blurrier.

The point here is just that that blurring can't be a reduction to one or the other. Profit-seeking and solidarity both have to survive.

Communism has been called "the real movement which abolishes the present state of things." Yet that description is better reserved for the market process. By constantly approaching equilibrium yet never reaching it, unchained economic activity is exactly the kind of social dynamic that radicals desire: permanent revolution. A market society is a society built on continuous self-creation, whose institutions are always kept in check by the looming threat of creative destruction. In so far as anarchism is the abolition of hierarchy, the production of anarchy requires the anarchy of production.

- 1. By "important resources," I mean the sorts of things that non-market anarchists would consider "private property" rather than "personal property."
- 2. The problem is even worse when we remember that people who consciously reject systems of domination are also not perfect people, and are just as subject to having their own behavior infected by those same systems of domination that they reject.
 - 3. I have in mind here something like radical labor struggle.

Consumer Protection in a Free Society

Gregory Boyle

An objection that is commonly raised against perfectly free markets is that of consumer protection. Without government regulation, how could consumers be protected from fraud? It seems absurd to think that they could take it on themselves individually to determine the trustworthiness of everyone they did business with; no one has the time or expertise to check every piece of food that they buy for toxic chemicals. Surely a solution to this problem must be provided if the free market is to survive.

The statist solution is simple: eliminate the freedom of the market; force everyone to obtain a permit in order to do business, and take away that permit if they fail to meet certain standards. But this solution has some major flaws. First and foremost, the standards which businesses must meet are often set by established firms who have an incentive to set standards that will raise barriers to entry and harm new competitors. In some cases, such as with the American Medical Association, the cartel created by licensure laws is given unilateral authority to restrict supply by determining how many competitors they want to give licenses to each year.

Additionally, licensure laws restrict the rights of consumers to decide for themselves whether the benefit of a lower price outweighs the risk of doing business with someone that they don't fully trust. Despite these flaws, licensing cartels persist because it is widely believed that there is no alternative.

The distributed reputation system of the black market site Silk Road functioned as a brilliant and effective alternative to licensing. Because almost all of the products sold on Silk Road were illegal, consumers couldn't simply take legal action against dishonest vendors, and because products were paid for with bitcoins, chargebacks could only be issued if vendors agreed to them. Given the total lack of legal recourse available to consumers, one might have thought that the site would quickly devolve into a mass of scams and fraud, yet it maintained a customer satisfaction rate of over 97% until it was shut down in 2013. Justice was administered by the sites users simply by refusing to do business with dishonest vendors. Many users only bought from vendors with flawless reputations, which provided vendors with an incentive to maintain such a reputation.

Many of them went above and beyond to gain the loyalty of customers, offering full refunds at their own expense if they found that their product had not reached their customer. In order to stay competitive, vendors with imperfect reputations had to offer their products at much lower prices. Consumers now had the freedom to judge for themselves whether or not it was worth paying extra to do business with someone they knew they could trust. Silk Road's reputation system worked remarkably well, and the site remained very popular for the entire duration of its existence.

When Silk Road was eventually shut down, it was not the radical free market nature of the site but the one area of centralization that led to its undoing. Because the site and its escrow system were ultimately controlled by one administrator, a person operating under the pseudonym "Dread Pirate Roberts," there was a central point at which it could fail. The Dread Pirate Roberts allegedly tried to recruit new employees using his personal email address, and he was subsequently tracked down by the FBI, who took the site offline. This weakness has been exploited several times since Silk Road's demise; the administrators of other black market sites including Atlantis, Sheep Market, and Silk Road 2.0 all defrauded their customers and stole the money that was in escrow.

Because of the power that they had over their sites escrow services, they stood to gain enough from their theft to make up for the destruction of their reputations. The solution to these sites' problems is not more centralization but less. What we need now is a peer-to-peer marketplace with an escrow system based on reputation. Only by eliminating positions of power in the market, such as those held by licensing cartels and, to a lesser extent, website administrators like the Dread Pirate Roberts, can we truly ensure consumer protection.

"Monopoly and privilege must be destroyed, opportunity af-forded, and competition encouraged. This is Liberty's work, and 'down with authoris Liberty's ity' her war-cry.

-Benjamin R. Tucker

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Are you interested in individualist anarchism, or at least so frightened by it that you want to keep an eye on its progress? Are you frustrated by capitalism's love for central planning and communism's conservative view of human potential? Do you suspect that abolishing the institution responsible for war, police brutality, and mass incarceration might not be so dangerous after all?

Then *The New Leveller* is for you!

We aim for this newsletter to be a running discussion devoted to radical libertarian and individualist anarchist thought, drawing from nineteenth-century periodicals like Benjamin Tucker's Liberty and Moses Harmon's Lucifer, the Lightbearer. Taking that influence seriously, we try to feature plenty of fire. The primary purpose of The New Leveller is to provide another voice for the most radical and unfiltered impulses in market anarchism.

Anyone interested in feeding the flames by contributing, or in subscribing to the newsletter so that they can watch them go higher and higher, is more than welcome to contact us at **the.new.leveller@gmail.com**. (People interested in receiving physical copies in addition to PDFs should include a mailing address in their email.)

Written submissions should range from (roughly) 500-1000 words, focused on content that would either help introduce people to the ideas of individualist anarchism, develop and explore the ideas of individualist anarchism for those already familiar with it, or analyze an issue from within the framework of individualist anarchism. Basically, we welcome anything that might have fit with the aforementioned periodicals, or in the earlier issues of Murray Rothbard's Libertarian Forum.

We are also always looking for art to add to our pages. Those submissions should be thematically relevant, and worth viewing in black and white.