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# Land & Liberty

On the Natural Monopoly of Violence

Martin Jacobson



UPPSALA  
UNIVERSITET

Dissertation presented at Uppsala University to be publicly examined in Brusewitzsalen, Östra Ågatan 19, Uppsala, Friday, 7 June 2024 at 13:15 for the degree of Doctor of Philosophy. The examination will be conducted in English. Faculty examiner: Professor Robert Huseby (University of Oslo, Department of Political Science).

### **Abstract**

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This thesis explores the analytical relationship between geoism, also known as left-libertarianism, and libertarian anarchism. Geoists argue that private property in land is unjust since no one has created the land. Furthermore, they contend that such landownership is the root cause of many social problems, generating systematic inequality and poverty. Hence, geoists argue that the economic rent of land should be shared equally among all. Similarly, libertarian anarchists claim that states are inherently unjust and that state-created privileges are the root cause of many social pathologies. Accordingly, they reject state authority and argue that society should instead be organized via voluntary associations. While both geoism and anarchism can be interpreted as versions of libertarianism, they are rarely discussed in relationship with each other. In this thesis, I seek to address this research gap.

I argue that we can understand the territorial authority of states as a form of landownership, thereby facilitating a dialogue between these traditions. As an implication of this, I argue that the anarchist rejection of states can be extended to a rejection of landownership, while the geoist rejection of landownership can be extended to a rejection of state authority. However, it is often assumed that states are necessary to bring about an equal distribution of rent, rendering geoism and anarchism incompatible. Thus, this thesis also seeks to address the question of whether these ideologies are compatible, exploring possible non-state mechanisms for achieving a geoist distribution of rent. Finally, the thesis also considers political strategies that activists could use to achieve a more equitable distribution of rent, independent of state policy.

Thus, this thesis seeks to provide an original contribution to the libertarian literature. The “geo-anarchist” position I explore is barely mentioned in the current academic literature. Nonetheless, I strive to show that it is not only a logically coherent position but also that it seems to follow from many of the internal commitments of libertarian theory.

*Keywords:* Anarchism, Authority, Geo-anarchism, Geoism, Georgism, Landownership, Left-libertarianism, Legitimacy, Libertarianism, Property, Territory

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*For Taisiya*



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*Martin Jacobson*  
Uppsala, April 2024

# Chapter I – Introduction

## I.1. Theoretical Background and Contribution

### I.1.1. Recalling a Radical Tradition

What I have done in this book, if I have correctly solved the great problem I have sought to investigate, is, to unite the truth perceived by the school of Smith and Ricardo to the truth perceived by the schools of Proudhon and Lasalle; to show that *laissez faire* (in its full true meaning) opens the way to a realization of the noble dreams of socialism; to identify social law with moral law, and to disprove ideas which in the minds of many cloud grand and elevating perceptions. (George 1898b, xi)

According to conventional wisdom, there is a fundamental political conflict between individual liberty and social equality. This view suggests that libertarians are dedicated to protecting individual property rights and fostering spontaneous economic interactions, but also those inequalities that inevitably arise from this free market system. Egalitarians, on the other hand, are dedicated to using state intervention and centralized planning of the economy to remedy social marginalization and inequality, even if it comes at the expense of personal autonomy. While political actors disagree on how to balance these goals, they agree that there is some tradeoff to be made between the two.

This narrative is challenged by radical libertarianism.<sup>1</sup> It defies traditional political categorizations by being a position within both classical liberalism and libertarian socialism. It is libertarian in the sense of defending *laissez-faire* economic policies and individual liberty, but it is simultaneously part of the wider socialist project, as it strives to abolish exploitation, class conflict, economic inequalities, and poverty. Rather than seeing liberty and equality as two opposed goals to be balanced, radical libertarians argue that genuinely

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<sup>1</sup> The term “left-libertarianism” is confusingly used both to denote a position combining full self-ownership with some egalitarian distribution of naturally occurring resources, and the position here referred to as radical libertarianism. Since both of these positions play important parts in this thesis, I use the term “radical libertarianism” for the latter position to disambiguate the views. While most thinkers in this radical libertarian literature use the term “left-libertarian” to self-identify (Carson 2014; Long 2012), I am not the first to use the term “radical tradition” or “radical libertarianism” to describe the position (Christmas 2018, 38; Conger 2006, 18; D. M. Hart et al. 2018; Lavoie 1985, chap. 7). To paraphrase George, this thesis seeks to unite the truth perceived by the geoist left-libertarian school of Steiner and Tideman with the truth perceived by the radical left-libertarian school of Carson and Long.

freed markets, as opposed to the current economic system, are the best way to realize social equality. Thus, they strive to achieve socialist ends using market means (Chartier 2011a).

Thus, in opposition to the conventional view, radical libertarians deny that systematic economic inequality or poverty is primarily caused by free market competition. Rather, they argue that social inequalities arise due to economic privileges putting competition out of play by rigging exchange in favor of the wealthy at the expense of the poor. Consequently, the best way to achieve equality is not to restrain competitive markets, but rather to abolish economic privileges. While marginal today, this type of radical libertarian analysis has a long history. Before the 20<sup>th</sup> century, *laissez-faire* liberalism was generally considered an egalitarian movement on the political left. Whereas we sometimes think of classical liberal economists as apologists for the vast economic inequalities of the Industrial Revolution, thinkers such as Adam Smith and David Ricardo could also be read as an attack on the feudal privileges of the landed aristocracy and mercantilist trade policies favoring elites at the expense of the poor.<sup>2</sup>

While radical libertarians agree that social inequalities can be traced to economic privileges, they diverge into different branches that disagree on their analysis of these privileges. This thesis is intended to research the relationship between two of these branches: geoism, which identifies the most important privilege as private property on land, and anarchism, which traces the root cause of privilege to the state institution itself.

Geoists<sup>3</sup> argue that unequal access to land is the main cause underlying the systematic economic inequalities and poverty. Furthermore, exclusive and unequal landownership cannot be morally justified since land, by definition, was not created by anyone. Thus, geoists defend a tax shift from labor and savings onto the full value of the land. Although many early radical thinkers expressed similar ideas,<sup>4</sup> they came to fruition with the publication of Henry George's 1879 *Progress and Poverty*, which sparked geoism as an international political movement. While largely unknown today, *Progress and Poverty* became the

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<sup>2</sup> Notable early figures in this tradition would include the 17<sup>th</sup>-century Levellers, Adam Smith, Thomas Paine, Jeremy Bentham, James Mill, Frederic Bastiat, and Herbert Spencer. For an anthology of historical expressions of this type of analysis, see (D. M. Hart et al. 2018).

<sup>3</sup> A play on George's name and the Greek root "geo" meaning land. Also known as "Georgism" or the "Single Tax movement." Like many contemporary authors, I use the term "geoism" to emphasize that it is a generic ideological position, rather than the personal views of George. The view is also closely connected with "left-libertarianism," which is a term used to denote a normative position combining libertarian self-ownership with some egalitarian distribution of external resources. The difference between the terms "geoism" and "left-libertarianism," as I take it, is more sociological than substantial. The literature using the term "left-libertarianism" developed within post-Rawlsian analytical political philosophy as a project synthesizing liberal egalitarianism with libertarianism, while the geoist label is preferred by the tradition of political economists following George. Thus, I use the terms interchangeably.

<sup>4</sup> For a historical overview of ideas adjacent to George's, see (Vallentyne and Steiner 2000b; Wenzler 1997).

second most-read book in America in the 1890s, second only to the bible, and was estimated to have outsold all other books on political economy published to that day put together (George 1898b; cf. England 2023; Schwartzman 1997).

Contemporaries of George, such as the individualist anarchists centered around Benjamin Tucker's journal *Liberty*, argued that the root of economic privileges was the state monopoly itself. They agreed with the broader socialist movement that the poor are systematically deprived of the fruits of their labor by capitalist exploitation. However, while state socialists like Marx argued that the solution to such exploitation was to centralize the means of production to a worker's state, the anarchists argued that exploitation could only be eliminated by abolishing these privileges, and hence also the state apparatus itself.

Just as the idea of taking capital away from individuals and giving it to the government started Marx in a path which ends in making the government everything and the individual nothing, so the idea of taking capital away from government protected monopolies and putting it within easy reach of all individuals started Warren and Proudhon in a path which ends in making the individual everything and the government nothing. If the individual has a right to govern himself, all external government is tyranny. Hence the necessity of abolishing the State. (B. Tucker 2011, 30)

This radical libertarian tradition became increasingly marginalized<sup>5</sup> during the 20<sup>th</sup> century.<sup>6</sup> Within the Cold War narrative, economic laissez-faire and social equality are presented as mutually opposing forces that might be balanced but never reconciled. Radical libertarianism challenges this conventional way of thinking about politics. Political divisions between egalitarians and libertarians seem to lock us into a tragic dilemma between liberty and equality. The

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<sup>5</sup> While these perspectives have become less prominent, they are by no means eradicated. Geoist scholarship has survived as a school of heterodox economics, as has many geoist activist organizations. Since the 1990s, "left-libertarianism" has developed as a position within analytic political philosophy. Similarly, radical libertarian analysis has been increasingly developed by anarchist scholars, especially those associated with the left-wing market anarchist think tank *Center for a Stateless Society*.

<sup>6</sup> There is some disagreement concerning the cause and date of this decline. Already in 1884, Herbert Spencer argued that the label "Liberal," historically used by those who wanted to restrict state power, thereby benefitting the public, was increasingly appropriated by "a new type of Toryism," seeking to use state power for the same end (1960). Elizabeth Anderson (2015) has argued that the left-wing orientation of market ideology declined after small-scale artisan production was replaced by large-scale industrialization. Another reason might be the October Revolution, which increased hostility toward everything kindred to socialism, including geoism, while rallying socialists under the Bolshevik banner at the expense of less authoritarian views. Similarly, during the New Deal era, Keynesian central planning grew in popularity at the expense of *laissez-faire* (M. A. Sullivan 2003). Another, more sinister, explanation has been provided by Mason Gaffney, who argues that the early Neo-Classical Economic School, backed by financial interest and wealthy landowners, first developed as a political strategy of making geoism unthinkable by denying any difference between capital and land (Gaffney 1994b).

promise of radical libertarianism is that we do not need to choose between these values. They are not conflicting, but mutually supportive. Thus, the choice is not between one or the other, but rather between both or neither.

The purpose of this thesis is to investigate the relationship between the geist and anarchist branches of this radical libertarian theory. This introductory chapter is divided into two main parts. In the first part, I provide an outline of the main commitments and disagreements within libertarian theory and further develop the theoretical underpinnings of radical libertarian social analysis. This provides the necessary context to situate the purpose of the thesis within this wider literature. In the second part, I discuss some methodological questions that are central to the argument of the thesis. In particular, I discuss how the thesis utilizes internal critique, ideal and non-ideal theory, and the justification of libertarian principles.

### I.1.2. Libertarianism

Libertarianism, in a general and pre-theoretical sense, is the view that human interactions should be voluntary and that it is wrong to meddle with someone's person or property without their consent. This broad, pre-theoretical, understanding of libertarianism can be explicated with different more specific principles.<sup>7</sup>

One influential specification is the *non-aggression principle*, according to which all violence or force that is initiatory, and hence cannot be understood as a defensive response to someone else's initiatory act of violence or force, is aggressive and wrong (Rothbard 2006a, 27). According to this definition, all principled pacifists, who oppose violence generally, are considered libertarians. However, not all libertarians are principled pacifists, as many accept the use of violence in self-defense. In other words, they permit violence only to restore the conditions of non-violence.

Another common characterization is to define libertarianism in terms of the *self-ownership principle*, according to which each person has full ownership over their own person, making any unwanted bodily contact a form of trespass (Vallentyne and Steiner 2000a; van der Vossen 2019). While the language of ownership might sound like a strange form of auto-commodification, another way to formulate the principle is that libertarians embrace the *sovereignty of the individual* (Warren 1852).

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<sup>7</sup> In their recent intellectual history of the libertarian tradition, Matt Zwolinski and John Tomasi suggest six defining features of libertarianism: private property, skepticism of authority, free markets, spontaneous order, individualism, and negative liberty (2023). The positions discussed and addressed in this thesis are all libertarian on this account, sharing this family resemblance, while differing concerning how these values are best interpreted. However, I choose to define libertarianism in terms of voluntary interaction, since I believe that it is this underlying intuition that explains how these six features are connected.



Historically, libertarians often defined their position in terms of the *law of equal liberty*, which states that “Every man is free to do that which he wills, provided he infringes not the equal freedom of any other man”<sup>8</sup> (Spencer 1851, chap. IV §1; cf. George 1898c, 336–37; Steiner 1994, 216; B. Tucker 1926e, 40). A related formulation is that libertarianism embraces *equality*, not necessarily of material welfare, but *of authority* (Long 2001, 2005).

Rather than seeing these principles as mutually exclusive, I see them as complementary ways of expressing the same pre-theoretical intuition. Each of them emphasizes different crucial aspects of the libertarian view. The non-aggression principle highlights our presumption against the use of violence and aggression. The self-ownership principle focuses more on autonomy and the individual independence of each person. In addition, the law of equal liberty emphasizes the essentially egalitarian nature of this view.

Rather than seeing these principles as mutually opposing, one could interpret them as being mutually supportive, since we can specify the content of any one of these principles with reference to the others. The notion of aggression, or invasion, presupposes that there is some domain within which other people may not infringe. The principles of equal liberty and self-ownership help explain the boundaries of these domains. Thus, these domains establish a fundamental form of equality between agents, as each is symmetrically protected from invasion by everyone else. Therefore, in defining libertarianism, I will not exclusively rely on one of these principles but rather seek to show how each of them can be used to support the interpretation I make of libertarianism.

Three aspects of this definition of libertarianism should be emphasized. Namely, it is narrow, exhaustive, and negative. Libertarianism, as understood here, is narrow in the sense that it is not a complete theory of ethics, but only concerns questions of justice. Put more specifically, this definition of libertarianism only pertains to issues of *enforceable* rights and duties, i.e., duties that may be legitimately enforced by others via violent coercion. Thus, it does not address non-enforceable duties. For example, one could argue that I have a duty to visit a sick friend at the hospital or to donate money to charity. However, intuitively, we would not think of these duties as enforceable, as third-party actors may not engage in violence to coerce people into visiting their

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<sup>8</sup> The law of equal liberty became famous with Herbert Spencer’s 1851 *Social Statics*. Interestingly, in the first edition of the book, Spencer embraces both some form of left-libertarianism and an anarchic right to ignore the state (Spencer 1851, chap. IX, XIX). However, in the second edition of the book, published in 1892, both of these chapters were removed, provoking critique from anarchists (B. Tucker 1893b) and geoists (George 1898a) alike. Spencer is often condemned as a defender of ‘Social Darwinism’ or the view that ‘might makes right.’ However, contemporary libertarians have argued that these accusations are largely based on uncharitable readings of specific passages taken out of context (cf. Long 2004b; Zwolinski 2015a).

sick friends or donating to charity. Thus, these duties fall outside the scope of libertarian theory and, consequently, outside the scope of this thesis.<sup>9</sup>

Secondly, within the sphere of enforceable duties, libertarianism is exhaustive. While the presumption against aggression seems uncontroversial, it also entails the more controversial corollary position that our negative right not to be aggressed against is our *only* enforceable right. All actions must either use initiatory force, use non-initiatory force, or not use force at all. If they do not rely on force, they cannot be used to enforce any rights. If they rely on non-initiatory force, it is a form of self-defense, and thus an instantiation, rather than a counter-example, to the right not to be aggressed against. Finally, if they rely on initiatory force, they will by definition involve aggression and be incompatible with a general right not to be aggressed against (Long 2014).

Finally, libertarianism is negative in the sense that it only asserts that aggression is illegitimate. It conceives of freedom as a negative sphere of non-interference, rather than a positive ability to achieve certain goals (Berlin 2002). Thus, it only says that some actions, namely aggressive actions, are outside our set of legitimate available options. However, it does not say anything about which actions, within the remaining set of permissible actions, we ought to pursue. Consequently, it is neutral about the good life or the good in general.

Notice that this right to decline interaction freely means that social outcomes will reflect the contingent choices of individuals, rather than guaranteeing any specific outcome. Justice, on this notion, is “historical” rather than “patterned” (Long 2012; Nozick 1974, 153–64). Since each person has an individual right not to befriend, partner, employ, or donate life-sustaining organs to others, these individual choices might also result in a collective outcome where no one chooses to engage in these activities with a specific individual, effectively denying them these goods. This is not to deny that friendship, partnership, employment, or health could be necessary elements of a good life, or even survival. Nevertheless, regardless of their desirability, one cannot guar-

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<sup>9</sup> This narrow view of libertarians can be connected to an intra-libertarian debate between “thick” and “thin” libertarians. Unlike thin libertarians, thick libertarians argue that libertarians qua libertarians ought to also adopt or resist certain cultural practices that cannot be directly expressed in terms of aggression or violence. Thick libertarianism can take the form of thick right-libertarianism, defending certain traditional or conservative social values as necessary preconditions for libertarianism (Hoppe 2001, chap. 10), or thick left-libertarianism, arguing that libertarians ought not only to resist aggression but also other forms of social hierarchy and domination such as sexism, homophobia, racism, and speciesism (Fleischmann 2022; Johnson 2008, 2011a). While I find the case for thick left-libertarianism persuasive, and the arguments within this thesis are perfectly compatible with thick left-libertarianism, they do not presume that one also accepts this position. I believe that this is important for methodological reasons, as it makes the arguments of the thesis more broadly generalizable. Since the main argument of the thesis is an internal critique of the core commitments shared by all libertarians, including thin libertarians and thick right-libertarians, they apply generally to all libertarians, rather than exclusively applying to thick left-libertarianism.

antee such outcomes unless one is willing to coerce people into these relationships against their will, thereby violating the core commitments of libertarianism.

While I consider all libertarians to share this pre-theoretical commitment that social interactions should be voluntary rather than coercive, there is also significant internal disagreement among libertarians. In particular, two major intra-libertarian debates are relevant for the purpose of this thesis. First is the debate between left- and right-libertarians concerning the legitimate distribution of external property rights (cf. Vallentyne and Steiner 2000a). Second is the debate between anarchists and minarchists concerning the legitimacy of the state (cf. Long and Machan 2008). While I discuss these debates more extensively in chapters II and III, I will briefly introduce them here to describe the theoretical framing of the thesis.

All wealth can be derived from two sources: naturally occurring resources and human processing of these resources – land and labor. Following the self-ownership principle, libertarians agree that people have a claim to the value they create via labor and resource processing. However, they disagree on the conditions under which one is entitled to these naturally occurring resources themselves. This disagreement can be understood in terms of John Locke’s famous analysis of original appropriation. Essentially, Locke argued that one can acquire exclusive rights to previously unowned goods by ‘mixing one’s labor’ with them, provided that one leaves ‘enough and as good’ for others (Locke 2003, para. 27).

Subsequent libertarian analysis has diverged in two main directions. The first, most famous, right-libertarian position emphasizes the first criterion, arguing that people can unilaterally acquire full property rights over an unequal share of previously unowned resources by processing them, thereby extending their self-ownership to these resources themselves (Hodgskin 1851; Long 2006a; Narveson 1988; Nozick 1974; Rothbard 1998; Spooner 1855). The second, left-libertarian (or geoist) position denies that one can unilaterally acquire full property rights to an unproportioned share of resources, as this would infringe on the equal claims of others. Rather, one can make exclusive claims over resources only by sufficiently compensating the rest of the community, for example, by paying a tax equivalent to its full market value, thereby satisfying the proviso (George 1898c, bk. VII; Otsuka 2003; Parijs 1995; Spencer 1851, chap. IX; Steiner 1994; Tideman 1991; Vallentyne 2007).

There is significant internal disagreement among left-libertarians concerning how the claim that land must be ‘shared equally’ should be interpreted. Notable interpretations include the equality of opportunity position, which asserts that rents should be distributed such that it compensates for inequalities of natural disadvantages (Otsuka 2003; Roark 2013; Vallentyne 2007; cf. Spafford 2023); the public goods position, which argues that rents should be used to finance public goods (Harrison 1994); the joint ownership view, which

claims that we ought to own these resources collectively (Grunebaum 1987; Steiner 1981; Vrousalis 2011); and the mutualist view, which suggests that land could only be legitimately possessed as long as it is actively occupied and used (Carson 2007, 2015; Swartz 1945; Tandy 1896; B. Tucker 1926c). I discuss these views in chapters II and VI, defending the equal share view, which suggests that rents ought to be distributed on an equal per capita basis (I. Carter 2012; Mazor 2009; Steiner 1994; Tideman 2016) as the strongest interpretation of the view.

The second major intra-libertarian debate concerns the permissibility of states. States, understood as territorial monopolies of violence, are by definition coercive. Consequently, libertarians tend to have a presumption against state action, favoring a *laissez-faire* approach to both social and economic matters, striving to minimize coercive state interference in people's lives. However, libertarians disagree concerning the extent of this presumption against state action. While "minarchists" argue that limited states are justifiable or a necessary evil (Cowen 1992; Nozick 1974; Vallentyne 2007), libertarian anarchists reject both these propositions, instead claiming that all functions currently provided by the state could be better supplied through voluntary cooperation or competitive markets (Friedman 2014; Huemer 2013; Long 2008c; Molinari 2009; Rothbard 2006a).

### I.1.3. Production and Plunder

Aside from being situated within libertarianism generally, this thesis will also draw on the radical libertarian theory of class and exploitation. This analysis is based on a dichotomy between two ways of acquiring resources. Either one can engage in production and create these resources in reciprocal cooperation with others, or one can engage in plunder and forcefully take the resources from their original producers. While production is a plus-sum game that is mutually beneficial to all parties, plunder is a zero- or negative-sum game, since whatever resources the plunderer acquires will also be lost by those who are plundered. Consequently, it creates a class division of an exploiting class, acquiring resources at the expense of the exploited class (D. M. Hart et al. 2018, ix–xxii; cf. George 1898g, 71–72; Nock 1983; Oppenheimer 1922).

This analysis could be closely connected to the libertarian normative position that human interactions should be voluntary. Taking someone's legitimate possessions without their consent is a paradigmatic case of the type of non-consensual, aggressive interactions that libertarians condemn. Conversely, the fact that people freely choose to interact is evidence that they see the interaction as preferable to non-interaction. Consequently, voluntarily entered agreements tend to also be mutually beneficial positive sum interactions,

while non-consensual interactions are not.<sup>10</sup> Hence, exit options provide a fundamental protection against exploitative and abusive relationships.

Thus, it is a mistake to see libertarianism as defending “rugged individualism” as opposed to social cooperation. Rather, radical libertarians defend social cooperation that is consensual and reciprocal, as opposed to social interactions that are non-consensual and exploitative. The purpose of exit options is not to disintegrate society into atomized individuals, but to ensure that society does not become abusive. Furthermore, exit options generate competition, not necessarily in the sense that exchanges must be impersonal cash transfers, but more fundamentally, that exit options enable people to leave abusive interactions in favor of more benign associations. Thereby, it fosters benign relationships while generating competitive pressure against abusive practices. Importantly, this requires the right not only to choose from existing options but to experiment and create new forms of social interactions if none of those on offer are found satisfactory. In other words, free exit from a certain association also requires free entry into its market.

Thus, to radical libertarians, laissez-faire competition is not the cause of exploitation but the most important bulwark against it. Competition tends to push the price of goods toward their production cost. If the price for some good would exceed its production cost, this profit opportunity would attract new entrants to the market, underselling the original producers. This process would continue until the margin of profit was eliminated, leaving the price at production cost.<sup>11</sup> Accordingly, free markets tend to favor reciprocity and the

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<sup>10</sup> A strong version of this argument contends that if we define people’s interests as their revealed preferences, it seems conceptually true that all mutually consensual interactions are mutually beneficial, while interactions that are not consensual cannot be known to be mutually beneficial. Consequently, voluntary interactions, unlike coercive interactions, must be Pareto-sanctioned, since they make some better off without making anyone worse off (Rothbard 1997). However, this strong interpretation of the claim seems to rely on a controversial interpretation of our interests as revealed preferences. Ordinarily, we often assume that people make mistakes about their interests or fail to act in their best interests. A weaker, but more plausible, interpretation of this argument is that we have a presumption that people tend to be the best, if not infallible, interpreters of their own interests. This seems like a reasonable presumption, given that people have privileged epistemic access to their own phenomenological experiences and preferences. Furthermore, external guardianship automatically gives rise to principal-agent problems, as these guardians may have interests of their own that conflict with the interests of the ward. Notice that this presumption seems to underlie not only libertarianism but also liberalism more generally. For example, Dahl uses similar reasoning to justify why each person should be given a democratic vote. Hence, if the guardians would indeed be the best interpreters of our interests, this would also seriously challenge the justification of democracy (Dahl 1991, chap. 7).

<sup>11</sup> The argument does not presume that markets are always in perfect equilibrium. Rather, the markets themselves are the mechanism by which we approximate equilibrium. Due to these disequilibria, it is possible to make entrepreneurial profits by selling at prices below market cost but above production cost. However, such entrepreneurial profits should not be considered a form of exploitation. Partly because they are not based on any form of force or aggression but on consensual market interactions. And partly because these entrepreneurial profits are impermanent deviations bringing us closer to equilibrium. Thereby, the entrepreneur provides a socially beneficial service. It is only via coercive privilege that profits become permanent and

exchange of value for value. Similarly, competition also tends to raise wages to the full value of their produce. Any difference between the produce and the actual wage would create a profit margin, incentivizing others to offer better terms than the laborer is currently getting. This process continues until the margin between the laborer's actual produce and their wage has been eliminated. Hence, George's assertion "that *laissez faire* (in its full true meaning) opens the way to a realization of the noble dreams of socialism" (George 1898b, xi) if "socialism" refers to a situation where laborers receive the full value of their labor, thereby eliminating exploitation and class distinction.

However, this process can be impaired by coercively hindering new entrants from entering this market, thereby enabling established producers to maintain their profit margin indefinitely. Notice that I use the term "competition" for a market marked by unrestricted entry and exit, and conversely, use the term "monopoly" for a market where entry is restricted, preventing prices from falling to their production cost. This "dynamic" use of the term monopoly differs from the "static" use of the term, which focuses on the number of suppliers.<sup>12</sup> Hence, radical libertarians do not see exploitation as arising from competition, but rather when competition is coercively put out of play. Thus, one can summarize the "[radical libertarian] central insight: that labor's natural wage in a free market is its product, and that coercion is the only means of exploitation" (Carson 2007, 10).

But this economic argument seems to fit poorly with the vast economic inequalities that we actually observe. For many anti-libertarian egalitarians, this is evidence that the analysis is wrong, and that we consequently must coercively restrain markets to achieve more equality. According to anti-egalitarian libertarians, these vast accumulations of wealth are seen as morally unproblematic, as they arose from voluntary interactions on the market. Both of these responses assume that our existing economic system is representative of

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systematic, benefitting only a certain class enduringly over time, that they also become exploitative (Carson 2008, 424).

<sup>12</sup> The use of the terms "monopoly" and "competition" differs somewhat between different traditions of economic thought. While the neo-classical tradition tends to define perfect competition as a situation where everyone is a price-taker, this dynamic use of these terms, focused on the entry conditions to a given market, is more commonly used within the Austrian tradition (Kirzner 1978a, chap. 3; Lavoie 1985, 38). There are several reasons why I believe that it is motivated to adopt this dynamic use of the term. Firstly, while the Austrian tradition is certainly more marginal than the neo-classical tradition, it is more widespread among libertarian anarchists. Hence, this is probably the most commonly accepted terminology within this particular literature (cf. Long 2008c, 137). Secondly, as discussed in section III.3.2., it seems to encapsulate a phenomenon that is morally salient and relevant from an anarchist point of view. Thirdly, as discussed in V.3.1., there seem to be cases in which dynamic monopolies enable monopoly profits, even if no firm can influence prices. Finally, it is especially interesting for this thesis, as it seems to indicate that land, the market of which cannot be entered by increasing supply, is a form of natural monopoly. Hence, I believe that the notion of dynamic monopoly is a very useful theoretical tool. Notice, however, that the argument is ultimately not based on this being the best or only way to theorize monopolies. The same arguments could have been formulated using some other term, such as "privilege."

*laissez-faire*, and thereby generates an essentially antagonistic relationship between liberty and equality. However, radical libertarians provide a third explanation. “When the theory predicts that in a free market, wages will be determined by the productivity of labor, and we see that they aren’t, what’s the obvious conclusion? That this isn’t a free market. That we’re dealing with power relations, not market relations” (Carson 2008, 334).

Consequently, radical libertarians reject the common view that our current economic system is a free market with a thin layer of regulations. Instead, they see it as a fundamentally extractive system where every aspect of the economy is thoroughly imbued by distortive exploitative privileges and monopolies, ratcheting up costs of living for the poor and profits for the rich.<sup>13</sup> To mention some examples:

- Public subsidies and corporate bailouts forcefully extract resources from taxpayers, transferring them to favored businesses. Similarly, state funding of goods such as security and major infrastructure projects socializes these costs to taxpayers, while allocating benefits to those large-scale companies most dependent on property protection or long-distance transportation, thereby functioning as covert subsidies artificially increasing the benefits of economic scale (Carson 2008, 65–72; Weiland 2011).
- Complicated and expensive licenses, fees, regulations, and tax codes<sup>14</sup> raise barriers to entry to markets. Thereby, it hinders people from entering occupations where they would have been able to make better wages and locks people into lower-paying positions. It also enables cartelization<sup>15</sup> and tends to systematically favor large-scale, established producers with significant judicial resources and

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<sup>13</sup> This issue is nuanced by dialectical libertarians, making a distinction between government regulations acting like “shackles” and others acting like “crutches,” to remedy issues created by the shackles. Such “crutches” are only necessary due to the fact that people are shackled in the first place. However, it would also be devastating to remove these “crutches” without first removing the “shackles” (Carson 2011b; Sciabarra 2005). Nonetheless, it is also worth noting that centralized welfare efforts tend to crowd out more efficient free market alternative crutches. For example, “lodge practice” was a system by which people organized mutual aid societies, insuring each other against disaster and sickness with fees approximating one workday per year. However, the system was stamped out via licensing, regulation, and tax subsidized competitors to increase costs and profits of insurance (Beito 2000; Carson 2011c; Long 2011b).

<sup>14</sup> In particular, while transfers within companies are not taxed, transactions between firms are. Thus, the tax system creates an artificial economy of size and fosters monopolistic companies at the expense of a competitive market of many smaller firms.

<sup>15</sup> Radical libertarians do not see the concentration and cartelization of capital during the progressive era as the result of spontaneous market forces but caused by active state policies. Cartels are notoriously difficult to maintain since the profit opportunities they create incentivize members to break the cartel and new parties to enter the market. Big businesses were only able to overcome these issues by using state law to enforce its rules. “Ironically, contrary to the consensus of historians, it was not the existence of monopoly which caused the federal government to intervene in the economy, but the lack of it” (Kolko 1963, 5; cf. Carson 2007; Childs 2011; Kolko 1965; Richman 2011; Rothbard and Radosh 1972; Stromberg 2011b, 2011a).

legal departments, at the expense of smaller, newer, entrants to the market (Carson 2008, 79–84, 420–22; Johnson 2011b; Long 2011a, 2011b).

- Intellectual property rights create artificial scarcities in goods that could essentially be reproduced at zero cost. Thereby, it generates monopoly privileges to favored firms in the production of goods protected by patents and copyrights, while also stifling innovation and progress<sup>16</sup> (Boldrin and Levine 2008; Carson 2009, 2011d; CB 2022; Long 2011c).
- Protectionist tariffs impose costs on the voluntary economic exchange between domestic customers and foreign producers, thereby removing opportunities for mutually beneficial exchanges while increasing the profits of favored domestic producers. Similarly, migration restrictions deprive potential immigrants of the opportunity to live and work abroad, generating and upholding inequalities between the global poor and the global rich (George 1898d; B. Tucker 2011).
- Regulation of the money and credit system effectively monopolizes access to credit, making it available to the rich with ample collateral but artificially scarce for the poor<sup>17</sup> (Carson 2007, 219–24, 2020; Proudhon 1969, pt. V; Swartz 1945, chap. 4; B. Tucker 2011).
- As emphasized by geoists, landownership enables landlords to extract rental incomes at the expense of their tenants and those who are excluded from using the land. Thus, it enables some to capture resources that were created by no one (George 1898b, 1898d, 1898e). Access to land is further restricted via zoning laws and building codes, ratcheting up the price of home ownership (Carson 2011e; Hoskins 2022; Johnson 2011b).

These privileges enable firms to offset competition and generate monopoly profits while socializing risks and costs to taxpayers, consumers, and workers (cf. Carson 2007, 2008, 2011a, 2012; George 1898e; Johnson 2013; B. Tucker 2011; Weiland 2011).

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<sup>16</sup> Most radical libertarians deny that intellectual property rights are necessary or beneficial for innovation or technological progress. By blocking imitation, it stops the “shoulders of giants” effect, removes any incentive to improve on one’s own inventions, and distorts research to useless projects. For example, much medical research is devoted to discovering not only one but all possible variations of a drug, thereby patenting possible substitutes for the drug to maintain a monopoly over its market. In a competitive environment, the only way for a firm to stay competitive is to provide products that are preferable to their competitors via investments in research and design (Boldrin and Levine 2008; Carson 2009, 2011d; CB 2022; Long 2011c).

<sup>17</sup> While I will not discuss this particular question extensively in this thesis, the regulation and restriction of money and credit are especially emphasized by the mutualist tradition of radical libertarians (Carson 2007, 2020; Proudhon 1969, pt. V; Swartz 1945; Tandy 1896; B. Tucker 2011; Warren 1852).



Consequently, radical libertarians do not see our current economic system as an accurate approximation of a free market. If these privileges were removed, it would increase competitive pressure from new producers, lowering prices to the cost of production and thereby eliminating systematic monopoly profits. Similarly, it would increase the bargaining power of workers vis-à-vis their employers, generating competitive pressure to increase wages to the full value of their produce (Johnson 2011b). Furthermore, drawing on the libertarian critique of economic central planning (Hayek 1945; Lavoie 1985; von Mises 1990), radical libertarians argue that there are similar diseconomies of size to companies. As they grow larger, information becomes more dispersed through the organization, disadvantaging them compared to smaller competitors. Thus, without artificial privileges propping up big business, free market firms would be smaller, more numerous, and less hierarchical (Carson 2007, 2008; Long 2008a, 2008b, 2011a; Weiland 2011). Ultimately, none of the vast fortunes found in the Forbes 100 or Fortune 500 could have been made in a genuinely free, laissez-faire, competitive market. Rather, they are the result of systematic exploitation on behalf of the rich, at the expense of the poor. To quote Kevin Carson “If the classical liberalism of Smith and Ricardo was an attack on the power of the Whig landed oligarchs and the moneyed interests, our [radical] libertarianism is an attack on the closest thing in our own time: global finance capital and the transnational corporations” (Carson 2014; cf. Stiglitz 2015, 433).

Geoism and anarchism can both be understood as versions of radical libertarianism. They both agree that existing economic inequalities are best explained in terms of plunder, and they concur that in a world without economic privileges, laissez-faire would enable a libertarian classless society. However, they provide two different analyses of exploitation. According to geoists, the most fundamental mechanism of exploitation is private property in land. Not because they deny the existence of other privileges, but rather because land values tend to rise as other privileges decrease. Consequently, it would be difficult to remove exploitation without also addressing the land monopoly. Anarchists see the most fundamental cause of monopoly privileges in the state institution itself. Privileges such as intellectual property rights only exist because the state is using its monopoly of violence to enforce them. Since states are by definition monopolies of violence, they restrict people’s exit options, thereby enabling abuse. Hence, anarchists argue that states tend to magnify rather than mitigate economic inequalities. Accordingly, rather than trying to use the state as a tool for egalitarian ends, the best way to achieve these ends would be to abolish the state altogether (cf. Jacobson 2023).

#### I.1.4. Purpose and Thesis

This overview of libertarianism, including the major intra-libertarian debates concerning legitimate property and legitimate states, and the radical libertarian class analysis, provide the setting for this thesis.

These two intra-libertarian debates generate a matrix of four possible combinations of these positions. The most well-known version of libertarianism is the right-libertarian minarchist position. While most libertarian anarchists tend to be right-libertarians concerning natural resources, most geoists tend to favor minarchism rather than anarchism. However, the last category, combining anarchism with left-libertarianism, is significantly understudied, compared to the other fields.<sup>18</sup> “In contrast [to right-libertarians], left-libertarians have been remarkably more sympathetic to a state, although not necessarily advocating one” (Agnafors 2015, 934 n. 1). Thus, “[t]he question of the state also needs more attention in the development and application of Georgist analysis. Much is required of the state in redressing the social inequalities and crises that result from the failure to adequately address solutions to the land question. Yet, state theorizing is notably underdeveloped in [geoist political economy]” (Obeng-Odoom 2022, 267). This thesis contributes to filling this research gap by exploring the much less studied relationship between geoism and anarchism.

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<sup>18</sup> While this category is understudied, it is not empty. As mentioned in footnote 8 above, Herbert Spencer inspired both anarchist and geoist positions (Spencer 1851, chap. IX, XIX). Interestingly, Leo Tolstoy was deeply inspired by both anarchism (1900a) and geoism (1905), and they both feature in his final novel *Resurrection* (1999). The mutualist tradition, discussed in section VI.3.3., can be understood as a position seeking to reconcile equal access to land with anarchism (Carson 2007; Proudhon 1876; Swartz 1945; Tandy 1896; B. Tucker 1893a). Similarly, the proprietary communities discussed in VI.2. are sometimes understood as a form of stateless geoism, with Fred Foldvary coining the term *geoanarchism* in reference to this view (2001, cf. 1994b, 1999, 2004; Heath 1957; MacCallum 1970). Some authors have generalized the left-libertarian views concerning landownership to include state territory. While they do not explicitly consider the possible anarchist implications of this view, I believe that it has relevant similarities to the position developed in Chapter 7 (O’Mara 2001; Steiner 1996; Tideman 1991). There are also at least two contemporary authors developing related views, seeking to reconcile anarchism with left-libertarianism. In a series of essays, William Schnack has sought to reconcile panarchism, mutualism, and geoism. Similar to the position discussed in Chapter 7, he argues that geoism could be used to allocate land between voluntary communities in a panarchist setting (2014, 2015b, 2015a, 2016). Note that while I share the view that associations should be voluntary and that geoism provides a basis for voluntary communities, Schnack has sometimes interpreted this as legitimizing national anarchism (e.g., Schnack 2016, 166). I disagree with this view and believe that there are reasons for egalitarians to be critical of such communities and ideologies, even if they are consensual. Finally, Jesse Spafford, while rejecting political anarchism as incoherent, has developed a social anarchist position that seeks to reconcile philosophical anarchism and self-ownership with a luck egalitarian distribution of external resources (Spafford 2021, 2023).

Table 1

	Left-libertarianism	Right-libertarianism
Minarchism	e.g., George	e.g., Nozick
Anarchism	This thesis	e.g., Rothbard

The basic argument of my thesis is that there is a close analytical connection between property on land and the territorial authority of states. Essentially, I argue that we can understand states as a form of supreme landlords over a given territory, or conversely, that we can understand landowners as a form of subordinated territorial authorities. However, this has major implications for libertarian theory, indicating that the two intra-libertarian debates are not as orthogonal as originally thought. If territorial states are a form of sovereign landlords, then the legitimacy of landownership could also legitimate the existence of territorial states. Thus, the right-libertarian support of landownership clashes with the anarchist rejection of states. Similarly, if states are large-scale landowners and landownership is inherently illegitimate, it seems that the left-libertarian rejection of landownership extends to a rejection of territorial state authority.

Finally, I investigate what types of institutional arrangements could satisfy the “geo-anarchist” principle. On a first look, this theory seems problematic and even contradictory. Traditionally, geoists have argued that equal access to land could be best achieved through states collecting the full value of rent as a land tax. However, if the theory also requires that states are abolished, this would render state redistribution of rents impossible. Consequently, if the argument is that geo-anarchism is the best interpretation of both anarchism and geoism, this seems to generate substantial problems for the discussed views. Thus, the thesis also explores whether alternative theoretical institutional arrangements could facilitate geoist redistribution of land independently of state institutions.

These arguments could be understood at two different analytical levels, running in parallel throughout the thesis. The first, and main, level of the thesis is focused on normative principles. We can understand geoism and anarchism as normative principles within the libertarian theory and explore the logical implications of these principles. The second level is rather focused on political economy and class analysis. We can understand both geoism and anarchism as two different ways of diagnosing and treating the problem of exploitation. While geoists see the main root of exploitation in the land monopoly, anarchists see its root in the state institution. These explanations are not mutually exclusive. Hence, both landownership and states could simultaneously and independently give rise to exploitative privileges. Nonetheless, if this is the case, it seems that neither geoism nor anarchism alone provides a sufficient remedy for abolishing exploitation. If states tend to generate exploitation but are simultaneously necessary to counteract the land monopoly, this creates a double

bind. Hence, the thesis explores the possibility of getting out of this bind and establishing a geist distribution of land independently of states.

These levels of analysis are independent, in the sense that the arguments stemming from normative principles could be true, even if the arguments of class analysis are not persuasive. Consequently, the main arguments of this thesis could be formulated merely with reference to the first level, without considering the second level. This is important since I believe that we should have a higher level of confidence in arguments made at the first level, which are purely theoretical and hence less reliant on controversial economic assumptions than the second level. Thus, it is important to keep these two levels separate. Nevertheless, both levels of analysis are important for the purpose of the thesis.

Arguments stemming from the first level of analysis could provide an important theoretical contribution, particularly to libertarian theory and the intra-libertarian debates outlined above. Additionally, they extend to normative political theory more generally. Left-libertarianism is sometimes perceived as a synthesis between libertarianism and liberal egalitarianism. Hence, the development of left-libertarian theory could also have implications for this literature. Moreover, the analytical argument on the relationship between states and landlords seems to have important implications for political theory more generally, since it indicates that there is a close connection between the normative literature on legitimate authority and distributive justice.

Another contribution concerns the best interpretation of left-libertarianism. While left-libertarians agree that everyone should have equal access to land, there is also significant disagreement concerning how this should be best interpreted. For example, some interpretations include the view that land should belong to everyone jointly (cf. Grunebaum 1987; Steiner 1981; Vrousalis 2011), while others propose that rents should be distributed in a way that compensates for natural inequalities (cf. Otsuka 2003; Roark 2013; Vallentyne 2007), or that rents should be distributed equally, as a form of universal basic income (cf. I. Carter 2012; Steiner 1994; Tideman 1991). The thesis contributes to this debate, as I defend the equal share interpretation as being the most compatible with the core commitments of libertarianism.

The second level of analysis could contribute to our understanding of social problems. From the perspective of radical libertarianism, the primary objective of political economy should be to diagnose and ultimately to treat the root causes of exploitation. This is imperative not only because exploitation is inherently unjust but also because it gives rise to other social problems, such as economic inequality, insecurity, and poverty. These issues, in turn, give rise

to further social problems such as social disintegration, domination, and alienation,<sup>19</sup> which could result in even further social problems. Consequently, to the extent that this analysis is correct, and could help us in alleviating the problem of exploitation, it could also help to address a wide range of social issues. Radical libertarians are radical precisely because they seek to address the root causes of social problems. As Thoreau famously asserted, “[t]here are a thousand hackings at the branches of evil to one who is striking at the root” (1854, 82).

### I.1.5. Outline of the Thesis

The thesis consists of eight chapters, which can be broadly divided into three parts. In the first part, which includes this introductory chapter, I provide the necessary theoretical background and context for the main arguments of the thesis. In Chapter II, I outline the economic theory of geoism and the normative theory of left-libertarianism, defending the equal share interpretation of left-libertarianism as the strongest interpretation of libertarianism. In Chapter III, I discuss anarchism, both as the philosophical anarchist position that states lack authority and the political anarchist position that states can and ought to be abolished.

The second part of the thesis is analytical and critical. In Chapter IV, I analyze the relationship between the territorial rights of states and property rights of landlords. Here, I defend the Equivalence Thesis, arguing that we can understand the territorial rights of states as a form of sovereign landownership. This provides the main premise for the two subsequent critical chapters. In Chapter V, I argue that the anarchist rejection of states extends to a rejection of landownership. In particular, I contend that the right-libertarian theory of property would legitimize states, thus coming into conflict with the anarchist rejection of states. In Chapter VI, I posit that the geoist rejection of landownership also extends to a rejection of territorial state authority. I consider two possible interpretations of geoism that could justify states but argue that these interpretations are implausible. Instead, I claim that the best interpretation of geoism implies that states cannot claim legitimate authority over their territory.

In the third part, I consider the implications of these overarching arguments. The critical analyses of Chapters V and VI pose a theoretical dilemma for libertarian theory. These arguments suggest that anarchism would require some sort of left-libertarian distribution of resources. However, within tradi-

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<sup>19</sup> For example, David Graeber describes a widespread sense of workplace meaninglessness in his *Bullshit Jobs* (2018). This phenomenon, in turn, could be explained as a result of the organizational pathologies arising from economic privilege, as analyzed in Kevin Carson’s *Organization Theory* (2008).

tional geoist theory, such distributions are generated by state taxation. Consequently, it seems that states would be a necessary condition for geoism, and anarchism a necessary implication of geoism, resulting in a paradox. In Chapter VII, I address whether and how it might be possible to combine geoism with anarchism and establish a geoist distribution of land independently from any state apparatus. I propose several ideal theoretic “geo-anarchist” institutions to resolve the paradox as a theoretical contradiction. Additionally, I discuss some practical problems faced by these institutions. Finally, in Chapter VIII, I consider what implications these arguments may have for us today. In particular, I consider political strategies aimed at promoting geoism to reduce exploitation, independently of state policies.

## I.2. Methodological Considerations

In this section, I discuss some of the methodological considerations of the thesis, thereby clarifying how the later arguments of the thesis should be interpreted, while also addressing some of its scope and limitations. Specifically, I examine the approach of internal critique and some of its implications, the distinction between ideal and non-ideal theory, and arguments concerning the justification of libertarian principles.

### I.2.1. Internal Critique

The arguments I present in this thesis can be understood as a form of internal critique. The central feature of such internal critique is that it seeks to criticize or develop a theory given the internal commitments of this theory, rather than critiquing it from premises that are external to the theory (Tralau 2012).

To provide an example, in Chapter V, I argue that *if* one accepts this anarchist position, *then* one also has good reason to be skeptical of landownership. This is an internal critique of the anarchist position, arguing that anarchists, *by their own standards*, have reasons to reject landownership. It is a conditional claim, holding that “If *P*, then *Q*”. Similarly, in Chapter VI, I propose that *if* one accepts geoism, *then* one also has reason to reject state authority. Moreover, in Chapters II and III, I claim that *if* one accepts libertarianism, *then* one has reason to accept geoism and a *pro tanto* reason to accept anarchism.<sup>20</sup>

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<sup>20</sup> Another implication of this internal approach is that, since the position I develop builds on libertarian theory, it will also inherit many of the unclarified issues within this literature. Some examples include issues concerning the rights of non-human animals, children, future generations, etc. Especially from an equal share geoist position, these issues seem pressing, as an increase in the population also decreases the size of per capita shares. Inter-generational questions also give rise to issues of resource conservation (cf. Mazor 2009, chap. 8). The claims of

I believe that this argumentative strategy is important for at least three reasons. First, it applies much more internal dialectical pressure on individuals holding the critiqued view to reconsider their position. If you can show that some claim  $R$ , which is external to the anarchist theory  $P$ , renders  $P$  implausible, the anarchist might simply take this as evidence that  $R$  should be rejected, without suffering from any internal inconsistency. However, since I try to argue that the reasons for rejecting landownership are internal to the anarchist theory itself, anarchists cannot reject the premises without also discarding their own theory. Consequently, internal critique serves as a much more powerful tool for evaluating theories than external critique.

Secondly, this internal approach is important because its claims are conditional. As conditionals, they can be true even if the antecedent is not, or cannot be, demonstrated as true. I believe that this is especially important for the purpose of this thesis, as it explores highly controversial theories, such as anarchism. It is beyond the scope of this thesis to definitively settle the highly contentious question of whether anarchism is a feasible political ideal. However, by presenting the argument as conditional, this thesis can contribute to anarchist theory without conclusively establishing its feasibility. In other words, I seek to persuade the reader of the conditional claim, “if  $P$ , then  $Q$ ”, regardless of whether they actually affirm  $P$  or not. Hence, the claim that  $P$  is not true, or cannot be demonstrated as true, does not contradict the contribution of this thesis, as these claims are perfectly compatible with the conditional claim I seek to establish. Importantly, the “if” should be read inclusively, rather than exclusively. In other words, the aim of the thesis is not to establish that geoism would *only* be relevant if the anarchist position were true, but rather that geoism would be relevant *even* if the anarchist position were true.

While it is beyond the scope of this thesis to conclusively establish or empirically prove the validity of geoist economic theories or the radical libertarian analysis, I can outline these positions and investigate their logical implications. Thus, while Chapter III outlines the libertarian anarchist theory and the most important arguments regarding the view, the main purpose of the chapter is not to convince every reader to accept anarchism. Instead, it serves to provide the premises used in my analysis and to give the reader sufficient

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non-human animals similarly give rise to severe problems. While geoists historically have considered non-human animals another form of resource to be shared equally (cf. George 1898c, 398–99), I reject this view and believe that we have no right to exploit animals as a mere means to our ends. However, if we grant non-human animals rights, one can ask if this extends to the right to a share of the earth. If so, this could lead to the counter-intuitive implication that the rights of these animals outweigh the rights of humans. Finally, if we do not grant equal rights to non-human animals, how can we differentiate the rights of humans from non-humans without pointing to the arbitrary category of species? For an interesting argument concerning the equality of rights among persons, see (I. Carter 2011). I will not discuss these issues or try to develop a complete theory addressing all these issues. Rather, I will just point out that these issues arise generally among this family of theories, and are not unique to the geo-anarchist position I try to outline in Chapter VII.

familiarity with the theory to follow the arguments concerning why such a view would be at odds with landownership.

Thirdly, given this internal methodology, it is important that I also reconstruct these positions in a way that is charitable to, and representative of, these theories. The internal critique is only valid if it critiques an accurate interpretation of libertarianism as perceived by libertarians themselves. Of course, this might be a difficult matter, since there is significant disagreement within libertarianism concerning how to interpret the view. This is why I outline the theory (I.1.2.) and its justification (I.2.3.) in rather vague terms, thereby making it much more generally applicable to a wider range of specific interpretations of libertarianism. By using this vague characterization of libertarianism, I hope to show that the admittedly idiosyncratic conclusions I defend are not based on a very idiosyncratic definition of libertarianism. Instead, they align with the pre-theoretical libertarian intuition that underpins these principles.

One important implication of this internal methodological approach is that the thesis will exclusively focus on the “Lockean” libertarian tradition, defining its views in terms of non-aggression, self-ownership, and equality of authority. This excludes much of the libertarian socialist tradition associated with tendencies such as anarcho-communism and anarcho-syndicalism.<sup>21</sup> While I believe that there could be much fruitful research exploring the relationship between these views and geo-anarchism, they tend to be formulated within a different theoretical framework, making it difficult to evaluate them internally using arguments from self-ownership or non-aggression, etc. Two important self-identified exceptions to this rule are Spafford (2021, 2023), who defends a position combining full self-ownership with a luck egalitarian distribution of external resources, and Vrousalis (2011), who defends a position combining full self-ownership with joint ownership over external resources. For the purpose of this thesis, we can interpret both of these as versions of, rather than alternatives to, the left-libertarian umbrella combining self-ownership with some egalitarian distribution of external resources. Thus, I address these views in Chapters II.3.2. and VI.3., respectively.

## I.2.2. Ideal and Non-Ideal Theory

Another relevant distinction for this thesis is that between ideal and non-ideal theory. While this distinction originates in the writings of Rawls (1971, 8–9), there is some disagreement concerning how to best understand it. Laura Valentini has made a useful distinction between three different uses of the terms,

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<sup>21</sup> While there are clear sociological differences between the “Lockean” libertarian tradition and the libertarian socialist view, it is not clear how large the principled disagreements are. Historically, many radical libertarians defending *laissez-faire* positions have been included within the larger libertarian socialist fold (Long 2021). Furthermore, if one accepts libertarianism as a “framework for utopia,” then it seems that voluntary communism is perfectly compatible with voluntary individualism.



which include differentiation between full and partial compliance theory, between utopian and realistic theory, or between end-state and transitional theory<sup>22</sup> (Valentini 2012).

The first way the term is used pertains to a distinction between full compliance theory and partial compliance theory, particularly concerning how our moral responsibilities and duties are affected by the non-compliance of others. Assume, for example, that everyone needs to contribute their fair share to mitigate climate change. However, as some individuals may not comply with this duty, the question arises of how others should react given this non-compliance. One could argue that they are still obligated to contribute their fair share, or even more to compensate for non-compliers, or perhaps less to avoid being taken advantage of by free riders (Valentini 2012, 655–56). I do not discuss these problems extensively within this thesis, as my interest lies in the other uses of the terms.

The second sense of ideal and non-ideal theory is the distinction between utopian and realistic theory. The term “ought” implies “can,” but “can” is ambiguous between being logically possible and being feasible, given the constraints of human fallibility. While utopian ideal theory strives to describe institutions under idealized and favorable circumstances, such as the informed, good faith participation by its members, realistic non-ideal theories seek to theorize institutions under more realistic circumstances where people are not expected to always act in accordance with their moral duties. Thus, the notion of compliance becomes central to this understanding of the distinction as well. Rather than asking how our duties change given the non-compliance of others, non-ideal theory in the realistic sense asks how our institutions should be designed to prompt compliance by those who would otherwise be inclined to violate or ignore their moral obligations (Valentini 2012, 656–60).

I believe that this distinction is crucial because we often develop moral arguments in favor of positions that are not feasible. Consequently, this position would only be desirable *pro tanto*, or to the extent that it can be realized. If it turns out that the preferred view is not feasible, we will need some theory of a second-best, which is the best option among our set of feasible alternatives. These issues become especially relevant for anarchist theory, since it is controversial to what extent anarchism is a feasible position.

Both ideal and non-ideal theorizing have important functions, and I utilize both approaches within this thesis. Even if we cannot conclusively show that our moral ideals can be perfectly realized, there are still several reasons to engage in ideal theory, such as critiquing or illustrating a moral ideal. In Chapter V, I argue that right-libertarian anarchism is unstable, even under ideal theoretic conditions of full compliance. I believe that this provides an even

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<sup>22</sup> There is some controversy concerning whether this is an accurate interpretation of Rawls’ use of the term. For the thesis, it is not important whether these are a correct interpretation of Rawls, but only that it conveys how I will use them.

stronger critique of the view than the non-ideal theory. If a moral principle is unfeasible because people do not comply with it, one could argue that the fault lies not with the principle, but rather with the agents who fail their obligations. However, if one can demonstrate that a principle would lead to contradictory or absurd conclusions, even under conditions where people act in compliance with it, the fault seems to be clearly with the principle, making it much more compelling as a critique. Furthermore, by focusing on right-libertarian anarchism, it is possible to isolate the effect of right-libertarian ownership from the effects of states. If one can show that landownership enables systematic inequalities, even in the absence of any other mechanisms of exploitation, this gives us good reason to be skeptical about landownership more generally.

Similarly, in Chapter VII, I address whether it would be possible to realize a geoist distribution of rent without relying on a state institution. If it is not possible, this would not only render geo-anarchism unfeasible but also incoherent as a moral ideal. However, by utilizing ideal theory, I argue that geo-anarchism is at least logically possible, even if it is less clear whether it is realizable under non-ideal conditions. Furthermore, one common libertarian critique of geoism is that it would be too statist (Carson 2015; Huemer 2021). However, if one can show that geoism is compatible with anarchism, this seems *a fortiori* to also respond to minarchist versions of this critique. Hence, ideal-theoretic anarchism can serve as a useful theoretical tool, and these types of arguments can make an important contribution, even if we cannot establish these theories as feasible.

As this thesis combines approaches from both ideal and non-ideal theory, it is also important to assume behavioral symmetry across different institutions. Behavioral symmetry is the claim that we should maintain consistency in behavioral characteristics and levels of idealization when evaluating and comparing different institutions. For example, we should not compare states under idealized situations with anarchy in non-ideal circumstances, and vice versa. To conduct meaningful evaluations of these institutional changes, we need to maintain consistency in other features. Thus, we should compare state institutions under ideal conditions with anarchy under ideal conditions, and anarchism under non-ideal conditions with states under non-ideal conditions<sup>23</sup> (Freiman 2017).

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<sup>23</sup> One could object that the pro-market arguments outlined throughout this thesis rely on a highly idealized vision of markets as perfectly competitive in their equilibrium state. Hence, they should not be compared with imperfect political mechanisms. However, while such highly idealized perfectly competitive models are common within the neo-classical tradition, they are less emphasized within the Austrian tradition, which is heavily influential within the broader libertarian literature I draw upon. Instead of focusing on idealized equilibrium outcomes, this tradition is more attentive to the market processes enabling us to approach such equilibrium outcomes in the first place. Hence, their argument for markets does not assert that perfect equilibrium markets are flawless. Rather, it contends that market processes under non-ideal conditions are better at approaching these equilibrium outcomes compared with more centralized

Finally, we can make a distinction between ideal and non-ideal theory in terms of end-state theory and transitional theory. While end-state theory describes the long-term goals of institutional reforms, transitional theory asks how we can move in the direction of this ideal, given our current, non-ideal circumstances. Rather than seeing these approaches as mutually opposing, we can see them as complementary. While the former provides a goal to strive for, the latter theorizes how to achieve it (Valentini 2012, 660–62).

In Chapter VII, I theorize what geo-anarchism could entail as a form of end-state theory. It may be controversial to engage in end-state anarchist theory. The point of anarchism is that society should not be engineered by some enlightened despot, but should instead reflect the spontaneous and autonomous choices of its constituents (Bylund 2007). However, rather than determining how people would behave under these conditions, the chapter seeks to outline different options that would be compatible with geo-anarchist principles, without deciding which of these options would be chosen. Furthermore, if one is to argue that anarchism is more desirable than states, or that geo-anarchism is preferable to alternative forms of anarchism, we should also have some idea of what geo-anarchism entails, and whether it is logically coherent. If anarchists want to critique states for generating certain problems, they must also show how these problems could be avoided in an anarchic system. However, to do so, we need some idea of what such an alternative system would be like.

In Chapter VIII, I engage in transitional theory, discussing political strategies aimed at achieving an equal distribution of rent, independent of state policies. I believe that this transitional theory is important for the larger relevance of the thesis, as it indicates that the arguments of this thesis may have important implications for our behavior here and now, regardless of whether anarchism is feasible as a realistic, non-ideal end-state theory. Even if it turns out that we cannot completely abolish exploitation, we ought to minimize it as much as possible. Thus, the contribution of this thesis is not premised on the feasibility of realistic end-state geo-anarchism, but rather suggests that it provides a goal we ought to approximate. Therefore, the point of the thesis is not that geoism is *only* relevant if the anarchist position is true, but rather that geoism can be relevant *even* if the anarchist position is true.

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planning under non-ideal conditions. Austrians understand entrepreneurship as a discovery process, or a trial-and-error attempt to find profit opportunities by bringing us closer to equilibrium. Profit, loss, and price signals are the only reliable ways to tell whether these trials are successful. By restricting competition, one also impairs this discovery process. Furthermore, if we knew that we were in equilibrium, there would be no point in entrepreneurship. It is precisely because we are not in a perfectly competitive market that competition is needed. Hence, the argument does not rely on idealized economic models, but rather on non-ideal comparative institutional analysis (cf. Kirzner 1978a; Lavoie 1985).

### I.2.3. On the Reconciliation of Values

While libertarians tend to agree broadly on the pre-theoretical notion that interactions should be voluntary, there is considerable intra-libertarian debate concerning the justification of this view. Libertarian philosophers have sought to ground their position on, among other things, deontological, consequentialist, contractual, and egalitarian grounds (cf. Powell and Babcock 2016). Given the internal methodological approach of this thesis, it is not necessary to commit to any single viewpoint, as this thesis aims to develop the theory regardless of the reasons for accepting it, or indeed, regardless of whether one should accept it at all. Rather than determining which single justification of the theory is correct, I take a more ecumenical approach, arguing that libertarianism has several attractive features, all of which jointly help to justify the viewpoint. One deeply attractive feature of radical libertarianism, as the project of abolishing exploitation, is that it enables us to reconcile values that are often interpreted as being conflicting.

This aspect might be important for several broader methodological reasons. First, it enables the internal critique formulated within this thesis to appeal to a broader audience. It corroborates the claim that these arguments not only appeal to some specific subset of libertarians, such as deontological libertarians, but also to libertarianism more generally. Secondly, it is crucial if one accepts meta-ethical pluralism, according to which we should consider not only one value when making moral judgments but rather balance several independent and sometimes conflicting values (cf. Brennan 2016). Thirdly, it is important if we accept some form of moral uncertainty. If we cannot be completely certain about which moral theories are true, we should not just apply our favorite theory while ignoring the others. Rather, we should consider other theories and weigh them in relationship to our credence that they are true, performing the action that appears best overall (MacAskill, Bykvist, and Ord 2020). Finally, it is worth noting that the argument is not that libertarianism will enable us to maximize every value in every given situation. Rather, it posits that if the radical libertarian analysis is true, libertarianism would generally perform well according to the standards of various values, which would be a very attractive feature of the position.

It may seem implausible that all of our moral justifications would converge in the same direction. However, this approach could perhaps be more plausible if we consider the fact that libertarianism is defined in narrow, negative terms, ruling some actions out, without determining what we ought to do positively. It seems more plausible that some types of actions could be simultaneously deemed wrong on several of these justifications, even if few actions are simultaneously recommended by these views. Consider an extreme case of exploitation, such as slavery, which seems simultaneously condemnable on deontic, utilitarian, and egalitarian grounds. Using this extreme yet illustrative

example, the radical libertarian could argue that the reasons for rejecting slavery extend to a rejection of exploitation generally.

First, there appear to be strong deontic reasons for rejecting aggression and exploitation. Slavery, by definition, comes into conflict with the self-ownership, or moral autonomy, of the subjugated party. We have a very strong moral presumption against the use of violence, particularly against aggressive violence. One way of explaining this intuition is that such behavior fails to respect the agency of its victim. Expressed in Kantian terms, one could argue that exploitation is a paradigmatic case of using another person merely as a means to an end, rather than treating them as an end in themselves (Kant 1998, 4:429; Nozick 1974, 31).

Secondly, exploitation contradicts egalitarian considerations affirming that all persons are moral equals. Exploitation engenders a class distinction between those who exploit and those who are exploited. If we accept the claim that exploitation and economic privileges are the primary cause of systematic economic inequalities, then the abolition of these privileges would be the best way of achieving a classless society. Consequently, our rejection of such material inequalities would strongly count against such exploitation.<sup>24</sup> Indeed, this seems to provide a much stronger argument against systematic economic inequalities compared to concerns about fairness. “Merely pointing to the fact that some people have a lot more than others is less compelling as a critique; it invites the response, ‘So what? Those who have more aren’t hurting anybody; you’re just appealing to envy.’ By contrast, being able to show that those who enjoy a higher socio-economic status have to a considerable extent achieved and maintained that status by forcibly expropriating and oppressing the less affluent provides for a far more effective indictment” (Long 2012, 425).

Exploitation also contradicts equality in a deeper sense by conflicting with equality of authority, as a moral prohibition of the subordination, subjection, or domination of one person by another. While legal and material equality require that those in positions of power treat their subjects equally, or make them equally well off, they tacitly assume that there must be such a position of power. Equality of authority, however, is much more radical, as it demands not just equal treatment *by* those in power, but equality *with* those in power (Long 2001). Even if the enslavement of some were to result in greater material equality, it would still treat those enslaved as political inferiors to their

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<sup>24</sup> Of course, this argument relies on the empirical assumption that exploitation tends to magnify rather than mitigate economic inequalities. However, we could imagine scenarios where this is not the case. For instance, using exploitation to compensate for natural inequalities in our productive abilities. For example, G.A. Cohen provides a thought experiment in which an infirm capitalist exploits a healthy laborer to achieve material equality between them (1995, 149–50). While radical libertarians might deny that this is an accurate model for actually occurring exploitation, they would disagree over how to evaluate these cases in principle. For example, Benjamin Tucker famously expressed his view as: “*Equality if we can get it, but Liberty at any rate!*” (B. Tucker 1926d, 217).

masters. It is incompatible with the law of equal liberty, which dictates that each person should have the greatest liberty compatible with the equal liberty of all (Long 2001, 2005; Spencer 1851).

Thirdly, there are compelling consequentialist reasons to reject exploitation. As discussed in section I.1.3. above, voluntary production enables positive-sum interactions, increasing the size of the cake, while plundering fosters zero or negative-sum interactions, as whatever is gained by the plunderer must come at the expense of someone else. Furthermore, plundering is in itself wasteful. Even if the resource expropriated is valued equally by both the original producer and the expropriator, any resources spent in the act of exploitation are resources not spent in production. Thus, if a thief spends a night burglarizing, acquiring just as much loot as their victims lose, this is still one night spent burglarizing that could instead have been spent productively. Another example of such costs is political rent-seeking, which arises as organizations expend resources trying to lobby political decision-makers to grant them economic privileges at the expense of their competitors or subsidies at the expense of taxpayers. However, any resources spent on rent-seeking are not invested in production, making such plunder systematically inefficient (Friedman 2014, chap. 43).

However, for many classical radical libertarians, the main virtue of economic liberty was not just material, but social. Exploitation is not only a symptom but also a cause of moral corruption (George 1898c, bk. IX: IV; Smith 2022, sec. II: II; cf. Petrella 1984). According to Smith's moral psychology, people have an innate tendency toward sympathy for their fellow beings and similarly seek to deserve the genuine appreciation of others. While benevolence certainly facilitates these social interactions, it is not strictly necessary, as self-interested parties can still interact and engage in mutually beneficial exchanges. However, exploitation and aggression naturally breed resentment and animosity, thereby destroying social bonds and our natural inclinations toward sympathy (Smith 2022, 132–33). Simultaneously, the fear of poverty and destitution creates a scarcity mindset, which undermines the natural sympathy of those suffering from exploitation.

And so in society, as at present constituted, men are greedy of wealth because the conditions of distribution are so unjust that instead of each being sure of enough, many are certain to be condemned to want. It is the "devil catch the hindmost" of present social adjustments that causes the race and scramble for wealth, in which all considerations of justice, mercy, religion, and sentiment are trampled under foot; in which men forget their own souls, and struggle to the very verge of the grave for what they cannot take beyond. But an equitable distribution of wealth, that would exempt all from the fear of want, would destroy the greed of wealth, just as in polite society the greed of food has been destroyed. (George 1898c, 462–63)

Hence, radical libertarians see the recognition of equal rights as essential for achieving social harmony and solidarity. Plundering is a zero-sum game, where one person's gain must be someone else's loss. It pits our interests against each other in a struggle for scarce resources. It is precisely under such zero-sum conditions that competition turns into a war of all against all, where one must either eat or be eaten. Thus, it encourages us to think of other people as potential prey or predators, thereby eroding our natural bonds of human solidarity and sympathy. In contrast, voluntary exchange enables mutually beneficial, positive-sum interactions, thereby encouraging us to think of others as possible collaborators and partners. Trade and exchange channel our ambitions into serving the needs and desires of others, since it is by serving their needs that we can incite them to reciprocate and serve ours. Thus, liberalism presents a vision of natural harmony of interests. This is not in the sense that everyone pursues the same end, or that it abolishes the scarcity of resources, enabling us to satisfy all our ends. Instead, it fosters positive-sum interactions, enabling people to pursue their individual goals in a way that aligns rather than conflicts with others, thereby fostering our natural tendencies toward sympathy and solidarity (cf. Byas 2017).

Interestingly, the above arguments indicate that libertarianism could lead to increased equality, advance the good, and promote harmony of interest, without determining what this interest is. More specifically, it is not premised on any given universal, objective, standard for human welfare. Rather, it is compatible with a subjective theory about human interests, as the goals worthy of pursuit by an agent's own standards. Importantly, this renders the libertarian arguments favoring equality and welfare compatible with pluralism about the good life. In Rawlsian terms, political liberalism should not promote any specific comprehensive doctrine regarding the good life; rather, it should originate from the overlapping consensus shared among these views (Rawls 2005, chap. IV).

The very narrow definition of libertarianism in negative terms is not necessarily a flaw, but rather one of its most powerful advantages. It does not commit libertarianism to any single conception of the good. People interact voluntarily if and only if they find this beneficial, by their own respective standards, regardless of whether they share the same standards. Thus, the voluntary nature of their interactions, and the fact that dissenters have access to genuine exit options, is a guarantee of consensus agreement. If an interaction is non-voluntary, it can only be because at least one party would not voluntarily consent to it, implying that it is not within the scope of overlapping consensus. Of course, libertarianism will exclude some subjective preferences, such as a desire to subjugate, exploit, or forcefully convert others. However, this exclusion is necessary because these preferences, by their very nature, are incompatible with pluralism itself. Thus, libertarianism logically entails all and only voluntary interactions, and in doing so, entails the largest possible set of overlapping consensus views (cf. Steiner 1994).

This pluralistic feature of libertarianism makes it compatible with free experimentation in matters of the good life, whether individually or collectively, as long as one respects the equal rights of others. In anarchist terminology, this makes libertarianism compatible with “anarchism without adjectives,” an ecumenical approach to anarchism that emphasizes the compatibility between different schools of anarchist ideologies. Free communism and free markets need not contradict each other, as a society that permits individuals to associate on whatever terms they choose would simultaneously allow communists to organize based on communist principles and free marketers to organize based on market principles.<sup>25</sup> In Nozick’s terms, libertarianism enables “a framework for utopia,” as it would enable people to associate freely on whatever terms they want (Nozick 1974, pt. III; cf. Carson 2016; Hess 2011; de Puydt 2006; de Cleyre 2005).

These various considerations jointly build a powerful case against aggression and exploitation. This convergence between values is important if we believe that several of these values might be significant. The attraction of radical libertarianism is not that it maximizes one value at the expense of others, but that it reconciles our commitments to several values. Of course, while these arguments provide a *pro-tanto* argument in favor of convergence, there may also be challenging cases where conflicts arise. In such scenarios, libertarians coming from different moral viewpoints will disagree. However, if we think of geoism and anarchism as theories for diagnosing and treating exploitation, it indicates that these views could similarly be justified through a convergence of different moral perspectives. Thus, when outlining these views, I will not present them as expressions of a singular moral value, but rather as tools for simultaneously satisfying and thereby reconciling several moral commitments.

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<sup>25</sup> These models need not be hegemonic, such that each person must choose one and only one of them. Rather, it is perfectly compatible with people choosing to have different relationships with different persons, at different levels of intimacy. For example, it would be compatible with communism within a household, reciprocal mutual aid networks for a larger association, and more impersonal trade and exchange with outsiders.



## Chapter II – Geoism and Left-Libertarianism

### II.1 Introduction

In 1928, Columbia University started leasing a block of Manhattan's Midtown to John D. Rockefeller, who later constructed the famous Rockefeller Center on the premises. Although all the facilities were constructed, owned, and maintained by the Rockefeller Foundation, the 11.7-acre site itself was owned by Columbia University and leased to the Foundation. The annual rental fee was updated over the years and ranged from some \$3.5 million when first leased, to \$11 million in the 1970s, corresponding to approximately \$65 million in 2020 when adjusted for inflation. In 1985, the site was sold to the Rockefeller Foundation for about \$400 million, in a move to liquidate the university's assets (Dowd 1985).

What is striking about this anecdote is that the University was able to make millions of dollars every year doing nothing. All of the construction and maintenance of the center were paid for by the Foundation. The land itself was, of course, not made by the University, or by anyone else. It existed long before either the Foundation or the University. The University just had a legal right to decide who could and could not use this block – a right worth \$400 million as a purchase price, or \$11 million as an annual flow. Importantly, this privilege did not disappear when it was sold. It was just acquired by the Foundation, instead of the University. The opportunity cost associated with the site was still \$11 million annually, which the Foundation would forgo by using the site themselves instead of leasing it to others. Nonetheless, what is true between 48<sup>th</sup> and 51<sup>st</sup> Street is equally true for all blocks, and all locations in the world.

This case illustrates the economic concept of rent. Rent includes all economic benefits derived from land. Consequently, rent exists independently of and prior to any production. Geoism, an economic and normative theory, emphasizes the importance of land. Economically, geoists argue that rents are the root cause of systematic economic inequalities. It redistributes wealth from a productive class of tenants, who must pay to use the land productively, to a class of landlords who can charge rents without having to produce at all. Normatively, geoists hold that private appropriation of such rental incomes is morally wrong. No one has a special moral claim to land, or its rent. As it was not created by anyone, everyone has an equal claim to it. To address these economic and moral concerns, geoists have argued that all taxes should be shifted

to a “Single tax” on land values. This chapter is divided into three sections, including this introduction. In the second section, I discuss the economic theory of geoism. In the third section, I explore the libertarian theory on the concept and legitimacy of property rights, while defending the geoist equal share interpretation of the theory.

## II.2 Economic Theory

### II.2.1. The Factors of Production

Geoism can be explained in terms of classical economic theory. In classical economics, production is analyzed in terms of three factors of production: land, labor, and capital. Land includes all naturally occurring resources and opportunities. Thus, it logically and chronologically precedes any production. Labor comprises all mental and physical human activities involved in production. Speaking in strict physical terms, humans do not create anything; rather, labor rearranges previously existing resources into more useful structures. Finally, wealth refers to any goods generated in previous production, while capital represents wealth utilized in further production instead of consumption. Consequently, all capital is a compound of both land and labor. The part of the produce allocated to land is called rents, while the part allocated to labor is called wages, and the part allocated to capital is called interest. To illustrate with an example, in the case of farming, the farmer provides the labor, the field represents the land, and the seed and tools constitute the capital. It is noteworthy that the produce of this farming will be more seed, i.e., wealth that can be used for consumption or production. All wealth, and thus all capital, ultimately stems from land and labor (George 1898b, bk. I:II).

“Land” and “rent” are used somewhat differently in economic terminology compared to everyday usage. In the economic sense, “land” is not equivalent to dirt, and “rent” is not whatever you pay to lease a home. Rather, land includes all naturally occurring resources and opportunities, ranging from air, water, and mineral deposits to the electromagnetic spectrum used for sending radio frequencies, as well as physical space itself. Improvements made to naturally occurring land, such as buildings or plowed fields, should rather be considered capital. Since “rent” refers to all and only economic benefits from land, and a part of the value of your home comes from capital improvements like buildings, the fee you pay for your home is also part interest (George 1898b, 37). While there are many types of land, this analysis will primarily focus on the paradigmatic case of land as a geographical location.

In contemporary mainstream economics, land is rarely distinguished from capital. However, there are several economically interesting characteristics differentiating land from capital. First, land, by definition, has not been cre-

ated. While capital is the product of previous production, land is those resources that existed prior to and independently of any production. Furthermore, land cannot be created. While the size of the labor force and our accumulated wealth have grown immensely since the Industrial Revolution, the size of our planet is the same today as it was in the days of George, or Socrates, or Lucy. The supply of land is consequently fixed and inelastic (Gaffney 1994a, 43–48).

Some would object to this point, saying that the amount of land has increased with landfills, or swamp drainage, or taller buildings. However, strictly speaking, these improvements of land are capital, rather than land itself. For instance, to drain a swamp, you need a swamped area. To build a second story, you need some land on which there can be a first story. The supply of these necessary elements remains fixed. The value of a drained swamp, for example, is determined by the value of an undrained swamp plus the costs of drainage. Consequently, the value of the drained swamp is determined by the land value of the original undrained swamp. Therefore, while land can be utilized more effectively or substituted for additional uses of capital, it cannot be completely replaced. Just as high wages prompt more labor-saving modes of production, high rents prompt the adoption of more land-saving modes of production (Gaffney 1994a, 56–57).

Hence, whatever land we have is recycled and secondhand. Many types of land also persist over time, being essentially indestructible. Compare this with capital, which “must be conserved from entropy by continual maintenance, repair, remodeling, safeguarding against theft and fire, and so on. Like our own bodies, it returns to dust; land is the dust to which it returns” (Gaffney 1994a, 44–45). Just as no production has ever created new matter, or expanded space, neither can it permanently destroy it. However, certain human activities can render land less useful, examples such as the burning of fossil fuels or the storage of nuclear waste being prominent. Finally, as space is a form of land, land is also generally immobile. While capital can generally be relocated from one site to another, land cannot. This makes the value of land relational to other sites, as transportation costs create disparities between more focal and more peripheral land (Gaffney 1994a, 49–53).

Finally, land is limitational, in the sense that all production or any other human activity requires some land. As corporeal beings, we must physically exist somewhere in space, and space is a form of land. Whatever you do, you must do it somewhere (Gaffney 1994a, 56).

### II.2.2. The Law of Rent

These unique properties of land have important economic implications. First, consider its economic value. The price of reproducible goods will, over the long term, tend to move toward their production cost. If the price exceeds the production cost, it will generate a profit margin. Moreover, this profit margin

attracts new producers, thereby increasing produce and reducing prices. Similarly, if prices fall below the cost of producing the goods, producers will be deterred from producing these goods, leading to decreased production and increased prices. However, this cannot be applied to land. Land has no production cost, as it was not, and cannot be produced. It existed before production. As land cannot be newly created, its supply is fixed. It is monopolized in the dynamic sense of the word, not that there is only one supplier, but rather that it cannot compete with current landowners by increasing its supply.

Consequently, the value of land cannot be determined solely by its production cost. On the contrary, the price of land, together with the price of labor and capital, will determine production costs. But how then could the price of land be determined? The Law of Rent holds that the rent of a site equals the advantage of using the site, relative to the advantage of using the best land that can be had for no rent, i.e., “at the margin of production.”

To unpack this, imagine a sequence of different sites with different productive capacities. Site *A* can produce 10 units a day, *B* 9 units, and *C* 8 units, etc. The first person to arrive, Adam, will settle on the best land, *A*, gaining 10 units a day. This entire gain will represent his wages. The second person to arrive, Ben, will settle on *B*, gaining 9 units a day. Thus, given the same labor and capital, Adam will acquire 10 units a day while Ben will only acquire 9.<sup>26</sup> This 1 unit difference is Adam’s rent. Adam could thus lease *A* to Ben as a farmhand, paying Ben 9 units per day while keeping 1 unit as rental income for himself, without producing anything at all. Consequently, the general level of wages has fallen from 10 to 9, while rents have increased from 0 to 1. As the third person, Caleb, arrives, lot *C* is settled, and Adam’s rent rises to two units, while Ben gains a rental income of one unit. As production increases, this margin of production is pushed toward less productive land, increasing rents but depressing wages<sup>27</sup> (Foldvary 1994a; George 1898b, bk. III:II; Ricardo 2000, chap. 2).

Conversely, if the margin of production were to increase, such that new land, more productive than the land at the current margin of production, became freely available, rents would fall accordingly. George demonstrates this with the following thought experiment:

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<sup>26</sup> To be more precise, rent is not only dependent on the productive capacity of land given *the same* amount of input of labor and capital, but rather on an *optimal* input of labor and capital. If we apply the same input to a downtown property and a countryside site, e.g., by growing beans on them, they might yield the same output. However, they might still be different, as the countryside site cannot be used for any more productive use than growing beans, while the downtown lot could be used much more intensively, e.g., by building a skyscraper. Thus, the more accurate comparison between them is not how much they would generate under the same input, but rather what they would produce if put to their respective most optimal use (Hirsch 1901, 124–27).

<sup>27</sup> Lassalle’s Iron Law of Wages states that wages (and the margin of production) have a lower limit at the minimum level required to keep workers alive, as dead workers won’t be able to work or pay rent (George 1898b, 292).

"Suppose there should arise from the English Channel or the German Ocean a No-man's land on which common labor to an unlimited amount should be able to make ten shillings a day and which should remain unappropriated and of free access, like the commons which once comprised so large a part of English soil. What would be the effect upon wages in England?" He would at once tell you that common wages throughout England must soon increase to ten shillings a day. And in response to another question, "What would be the effect on rents?" he would at a moment's reflection say that rents must necessarily fall; and if he thought out the next step he would tell you that all this would happen without any very large part of English labor being diverted to the new natural opportunities, or the forms and direction of industry being much changed; only that kind of production being abandoned which now yields to labor and to landlord together less than labor could secure on the new opportunities. The great rise in wages would be at the expense of rent. (George 1898b, 291)

As these examples illustrate, rents do not depend on the absolute productivity of the land, but on the relative productivity of the land compared to the margin of production. Secondly, they also illustrate that landlords, *qua* landlords, do not create any wealth. Rather, their claim to the land enables them to capture a fraction of the total produce without producing themselves. For instance, if Adam were to lease lot *A* to Caleb for a rent of 2 units, Adam would be able to enjoy an effortless stream of income without producing anything himself. However, notice also that while Adam can extract rents via tenants, he will receive rents even if he uses the land himself, or keeps the land out of productive use. Rents are not only the explicit transfers from tenants to landlords but also opportunity costs, representing the value others would have been willing to pay for the use of the land.

Finally, as rents constitute a fraction of the total produce, the fraction allocated for wages and interest must decrease as the fraction allocated for rents increases. As more land is brought into productive use, the margin of production will be pushed toward less productive land, leading to increased rents and reduced wages. Thus, increased demand for reproducible goods increases the production of such goods, with a long-term price approximating its production cost. It makes people wealthier by "increasing the size of the cake." However, an increased demand for land cannot expand the supply of land, since land is not and cannot be produced – its supply is fixed. Increased demand for land will thus just increase the price of land, push the margin of production to less productive land, and thereby concentrate existing wealth rather than creating new wealth. It makes some wealthier and others poorer by redistributing larger parts of "the cake" to landowners at the expense of laborers and savers (George 1898b, bk. III:XIII).

### II.2.3. Monopoly and Marginalization

Using this model, we can explain the root cause of systematic economic inequalities and poverty. Interestingly, this basic geoist theory can be demonstrated via the popular board game *Monopoly*. This is not a coincidence, as it was originally invented in 1902 as *The Landlord's Game* by geoist Lizzie Maggie, as a way to demonstrate the basic tenets of geoist economics (The Landlords' Game 1902). Thus, *Monopoly* can be used as a pedagogical tool for understanding the theory. In *Monopoly*, players can generate income via two main sources. With each lap they make around the board, they are rewarded a sum representing their wages. Since the time required to make a full lap is determined by the throw of the dice, this income will be randomly distributed, gradually enriching all players equally over time.

However, in addition to this wage income, players can also earn rental income. Every time a player lands on another player's land, the former must pay the owner for its use. However, notice that these landlords do not produce anything. The lots existed before the game began, and exist in a fixed supply, just as land existed long before humans settled on it. Thus, these rents do not generate any additional wealth among the players, but merely redistribute wealth from one player to another. As a result, each player will also receive a net rental income, consisting of the income received from other players landing on their land, minus the rents paid when they land on the lots of other players. Consequently, the total income from each player will consist of their wages, plus their net rents. Since wages are distributed randomly, all systematic differences in the players' wealth can be attributed to the existence of rent.

Over time, this generates a vicious feedback loop, as relatively wealthy players who receive net rental incomes are also better positioned to acquire more land, thereby further increasing their net rental incomes. Thus, rents not only foster systematic differences in income over time but also concentrate landownership in the hands of the wealthiest.<sup>28</sup>

As excessive riches arise from concentrations of landownership, excessive marginalization, arises as people are denied access to land. "Homelessness,' a modern plague, is essentially landlessness. A popular ditty from the 1930s includes the catchy line, 'If you can't pay the rent, you can live in a tent,' but you can't do even that without a campsite" (Gaffney 1994a, 57). Similarly, landlessness explains unemployment.

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<sup>28</sup> Similar mechanisms are observed outside of the game. Since access to land is premised on the availability of credit, which, in turn, is premised on ownership of assets such as land that can be used as collateral, this creates a vicious cycle that concentrates wealth among those already wealthy (Gaffney 1994a, 72). Since mortgages cover not only the cost of buildings but also the land they occupy, mortgage interest rates are also a form of rental payment. Credit expansion generally increases the price of assets that are disproportionately owned by the wealthy, thereby increasing inequality (Stiglitz 2015, 439). Thus, in 1978, only 15% of Americans possessed land. Out of these, the top 5% owned 75% of private land, while the top 0.5% held 40% of private land, a trend which was increasing over time (Geisler 1993).

We talk about the "want of work," but, evidently, it is not work that is short while want continues; evidently, the supply of labor cannot be too great, nor the demand for labor too small, when people suffer for the lack of things that labor produces. The real trouble must be that supply is somehow prevented from satisfying demand, that somewhere there is an obstacle which prevents labor from producing the things that laborers want. Take the case of any one of these vast masses of unemployed men, to whom, though he never heard of Malthus, it to-day seems that there are too many people in the world. In his own wants, in the needs of his anxious wife, in the demands of his half-cared-for, perhaps even hungry and shivering children, there is demand enough for labor. Heaven knows! In his own willing hands is the supply. Put him on a solitary island, and though cut off from all the enormous advantages which the cooperation, combination, and machinery of a civilized community give to the productive powers of man, yet his two hands can fill the mouths and keep warm the backs that depend upon them. Yet where productive power is as its highest development they cannot. Why? Is it not because in the one case he has access to the material and forces of nature, and in the other this access is denied? Is it not the fact that labor is thus shut off from nature which can alone explain the state of things that compels men to stand idle who would willingly supply their wants by their labor? (George 1898b, 268–69)

If Crusoe never had to worry about unemployment on his island, it seems strange that he would have to do so in civilized society. The answer is that in one situation, access to land was free, while in the latter, it would be restricted. Crusoe's island can also be used to illustrate the exploitative nature of land-ownership. Assume that Friday arrived on the island, only to be enslaved by Crusoe. As a consequence, Crusoe would be able to acquire the entire gains from Friday's labor, leaving Friday only enough to sustain himself. Similarly, now imagine that Crusoe does not own Friday himself, but rather the island they both inhabit. If Crusoe were to threaten Friday with expulsion and a watery grave if he refused to pay Crusoe rent for the right to stay, this would provide Crusoe with the same ability to expropriate Friday's produce (George 1898d, 259–60).

When deprived of any opportunities to support themselves, workers are forced to accept labor on whatever terms they get. If the enclosure of the commons had not dispossessed the proletarians of their land and means of self-employment, they would never have accepted the wage-slavery conditions of the "dark satanic mills" of industrialization. Without the enforced monopolization of land, workers would only have flocked to the factories if the conditions and wages exceeded what they could have acquired on their own, making wage slavery impossible.<sup>29</sup>

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<sup>29</sup> Marx recognized that the monopolization of land was a precondition for the exploitative nature of capitalism: "In present-day society, the instruments of labour are the monopoly of the landowners (*the monopoly of property in land is even the basis of the monopoly of capital*) and the capitalists" (Marx 2000, 15 emphasis added, see also 1954, chap. XXVII). For an overview of Marxist critique of George, see (Harrison 2003).

Capital is essentially a compound of land and labor. Thus, as long as there is free and equal access to land and labor, there will also be free entry into the market for capital goods. Thus, as with other reproducible goods, when the price of a capital good exceeds its cost of production, it will attract more producers, thereby increasing supply and pushing the return toward the cost of production, eliminating systematic monopoly profits. While the supply of land is fixed, the supply of capital is elastic. Thus, while obtaining more land must necessarily come at the expense of others having less, having an additional tractor need not come at the expense of others having fewer tractors.<sup>30</sup> Hence, the exploitative nature of capitalism is ultimately based on land monopoly.<sup>31</sup>

Abolish the monopoly that forbids men to employ themselves, and capital could not possibly oppress labor. In no case could the capitalist obtain labor for less than the laborer could get by employing himself. *Once remove the cause of that injustice which deprives the laborer of the capital his toil creates, and the sharp distinction between capitalist and laborer would, in fact cease to exist.* (George 1898d, 306–7 italics in original)

#### II.2.4. Progress and Poverty

Using these conceptual tools, we can also address the fundamental question that George sought to answer: why poverty can persist despite the immense progress made during the 19<sup>th</sup> century, giving the title to his magnum opus *Progress and Poverty*. In modern terms, we could express the question in

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<sup>30</sup> I will not delve extensively into theories of interest in this chapter. George's theory of interest posited that it can be attributed to the naturally productive features of different types of wealth, e.g., in the vintaging of wine (George 1898b, bk. III, chap. III). Max Hirsch integrated the geoist theory of rents with the Austrian theory of interests as originating in time preference (Hirsch 1901, 135–43).

<sup>31</sup> Furthermore, since rents tend to capture the bulk of gains from productivity, interests tend to develop more slowly than growth, eroding the value of a capital investment over time (cf. Stiglitz 2015). Moreover, wealth is not as effective a store of value as land. Wealth needs constant maintenance to endure. For instance, if you purchase a piece of real estate and leave it vacant for 50 years, the value of the land would likely increase while the value of the building would sharply fall, partly due to decay and partly because wealth tends to become obsolete over time due to innovation. This same principle applies to other types of wealth, such as cars or machines (Gaffney 1994a, 44–45). Therefore, even if someone were to acquire significant wealth, for example, by winning a lottery ticket, this gain should be understood as a temporary shock. Over time, such wealth would suffer from entropy, and distributions would regress toward the mean.

There is a class of capital that shares some interesting properties with land, namely historical artifacts. While we can still produce urns, we cannot create authentic ancient urns, and while we can still create novel paintings, we cannot create new authentic Rembrandts. Consequently, the supply of such goods is fixed similarly to land. While such goods can be speculated upon or used as stores for value, they tend to have a fairly marginal role in the economy at large and could be easily substituted for modern replicas for practical and productive uses. Furthermore, one could argue that historical artifacts are not the exclusive property of anyone but the collective heritage of humanity, making them morally on par with land, rather than capital.



terms of asking why real wages remain stagnant despite increases in productivity. All produce is distributed among the three factors of production. If the proportion taken by each factor remained constant while total productivity increased, then the absolute return to each factor would also increase. Hence, stagnation of wages must instead be explained by a shift in the proportion taken by each factor.

Thus, the explanation of why wages remain stagnant despite increasing productivity is that progress tends to increase the proportion of produce taken by rents. As the cake becomes bigger, rents also appropriate a larger share of the cake. If this distribution effect occurs faster than the production effect, it will not only depress the relative but also the absolute returns to labor. However, if the production effect is stronger than the distribution effect, we could still see a rise in absolute wages, while the relative proportion of wages would decrease. This theory can be illustrated through the following thought experiment:

Take now the same man or another — some hard-headed business man, who has no theories, but knows how to make money. Say to him: "Here is a little village; in ten years it will be a great city — in ten years the railroad will have taken the place of the stage coach, the electric light of the candle; it will abound with all the machinery and improvements that so enormously multiply the effective power of labor. Will, in ten years, interest be any higher?" He will tell you, "No!" "Will the wages of common labor be any higher; will it be easier for a man who has nothing but his labor to make an independent living?" He will tell you, "No; the wages of common labor will not be any higher; on the contrary, all the chances are that they will be lower; it will not be easier for the mere laborer to make an independent living; the chances are that it will be harder." "What, then, will be higher?" "Rent; the value of land. Go, get yourself a piece of ground, and hold possession." And if, under such circumstances, you take his advice, you need do nothing more. You may sit down and smoke your pipe; you may lie around like the *lazzaroni* of Naples or the *leperos* of Mexico; you may go up in a balloon, or down a hole in the ground; and without doing one stroke of work, without adding one iota to the wealth of the community, in ten years you will be rich!" (George 1898b, 291–92)

While there has been an immense increase in production as the village grows into a city, these gains from growth are unevenly distributed among the factors of production. While per-unit wages and interest rates remain largely unaffected, the per-unit price of land has been inflated immensely, capturing most or all of the gains.

George identified three main causes of the rise in land values. First is the increase in population. As illustrated through the sequence of land appropriated by Adam, Ben, and Caleb, population growth pushes production onto less productive land, thereby increasing rents while depressing wages. However, while this scenario assumes that everyone produces independently of the others, population growth also has the additional effect of enabling cooperation

and the division of labor. A city of one million people can produce more than one million ‘Crusoes’ independently. Hence, increases in population not only enhance total productivity but also per capita productivity. Nevertheless, since the opportunity for such cooperation requires physical proximity to other people with whom one can cooperate, these gains tend to become localized and captured by rent. Although the term “land” makes us think of agrarianism, the most important concentration of land value arguably exists in downtown real estate, as illustrated by the Rockefeller Center, rather than in the countryside. This Manhattan Block is valuable not due to the efforts of Columbia University but because it provided opportunities for cooperation and exchange with millions of New Yorkers (George 1898b, bk. IV:II).

The second factor identified by George was increases in production resulting from improvements in productive technology. As these increase total output, they also increase supply, and thereby total demand. However, when the demand for labor or capital increases, wages and interest rates also go up, thus also expanding supply by attracting people to work more at the expense of leisure and invest more of their wealth at the expense of consumption. However, the supply of land is inelastic. Thus, when the demand for land increases, no additional land can be created, leading only to the inflation of land prices and pushing the margin of production onto less productive land (George 1898b, bk. IV:III).

This relationship between production and rents can also be illustrated in the context of public goods. Since the gains derived from public goods tend to be localized, their value tends to be captured by increases in land values. For example, a piece of land will be more valuable if it is well connected to other sites via public roads or transportation systems. Thus, a new bus stop or metro station can greatly increase the value of all the sites it serves. Many public goods increase the value of land beyond the cost of the original investment, making them essentially self-financed. For example, the George Washington Bridge built across the Hudson River reportedly raised New Jersey land values by some \$300,000,000 – more than 6 times the cost of constructing the bridge (G. M. Tucker 2010, chap. 2).

Thirdly, the price of land is increased through speculation. As the example of the growing city illustrates, rents are effortless incomes. Not only does land-ownership generate a perpetual stream of rental income as it is used. The price of land also tends to increase over time, as demand for land increases as productivity increases, while its supply remains fixed. However, aside from being unproductive, such “investments” in land often actively harm the economy. By speculating on the value of land, it is taken out of productive use in the hope that its value will increase further in the future. As it is removed from productive use, the margin of production is pushed toward less productive land, thus increasing rents while lowering wages. Since speculation diminishes the margin of production without increasing total production, it tends not only to decrease the proportion of wages, but also the absolute level of wages.

While you may have to walk a very long way to find land that can be used rent-free, you will not have to walk very far to find land that could have been put to more productive use than it currently is (George 1898b, bk. IV:IV).

Furthermore, George argued that such speculation on land is a major contributor to economic depressions. As speculation takes land out of productive use, it makes it more difficult for labor and capital to find opportunities for production. This results in higher production costs while simultaneously driving down interest rates and wages to a level where production comes to a halt, forcing the economy into a depression<sup>32</sup> (George 1898b, bk. V:I).

Thus, wages remain stagnant despite increases in productivity, as the gains from productivity are captured by rising rents. This analysis carries the important implication that it would be difficult, or even futile, to try to address the social question without first also addressing the land question. Even if we were able to create better governments, via free trade, reductions in taxation, or by removing the economic privileges of favored firms, the gains from such policies would be akin to an increase in productivity. As we have seen, such gains tend to increase land values rather than wages (George 1898c, bk. VI:I, 1898e, chap. XVIII).

Labor may be likened to a man who as he carries home his earnings is waylaid by a series of robbers. One demands this much, and another that much, but last of all stands one who demands all that is left, save just enough to enable the victim to maintain life and come for the next day to work. So long as this last robber remains, what will it benefit such a man to drive off any or all of the other robbers? Such is the situation of labor to-day throughout the civilized world. And the robber that takes all that is left, is private property in land. (George 1898d, 267)

### II.2.5. The Single Tax

Thus, the cause of inequality and poverty lies in the fact that a small minority of the population monopolizes the gains from land. This monopolization is inherent to any system of private ownership of land. The remedy suggested by George to alleviate this is thus to “make land common property” (George 1898c, 326). Consequently, the benefits from increasing rents would abound to everyone equally, not only to a small class of landowners. While this could be achieved through land nationalization, George was skeptical of the centralized allocation of land for different uses. Instead, he argued that possession of land could be left in private hands, and the allocation of land left to the market, as long as the gains from landownership, i.e., rents, are socialized. Hence, George suggested that we should implement a tax on the full value of land,

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<sup>32</sup> Fred Foldvary has worked on integrating this geist analysis of the business cycle with the Austrian business cycle theory, which principally attributes business cycles to central and fractional reserve banks artificially lowering interest rates and excessive credit expansion (Foldvary 1997).

also known as a Land Value Tax (LVT), while simultaneously removing taxes on labor and savings. Since this would make the LVT the only tax on the books, geoism is also known as the “Single Tax movement”<sup>33</sup> (George 1898c, bk. VIII:II).

Such a tax shift would be highly progressive, as land values are concentrated among the wealthiest echelons of society. Ultimately, geoists argue that it would remove the root cause of class society. If no one could privatize the gains from rents, everyone would instead be compensated in proportion to their productive labor or savings. Since there would be no private rental gains from landownership, the price of land would fall toward zero. Thus, the natural opportunities of land would be equally accessible to everyone and anyone, enabling laborers to acquire land without hefty upfront costs and keep the entire produce that their labor adds to the land. Simultaneously, real wages and interest rates would increase as taxes on labor and capital were lifted (George 1898c, bk. IX:I). However, although the tax would disproportionately be paid by the rich, George insisted that it was strictly egalitarian. Since no one has created the land, everyone has an equal claim to it, essentially making it a head tax. Moreover, as the value of land arises from the cooperative advantages of the community, rather than the landowner, the community has a rightful claim to it (George 1898c, 418–19).

Land would also provide a uniquely efficient basis for taxation as it does not deter production. Unlike taxation on labor and capital, it would not incur any deadweight cost. The deadweight cost of, e.g., wage taxation arises as it depresses wages, thus deterring laborers from working and reducing the supply of labor, and in the end reducing production. Similarly, taxes on capital decrease the real return on savings, incentivizing people to consume more and save less. However, as the supply of land is fixed, it could not decrease as a result of land taxation, thus not affecting total production (George 1898c, 406–12).

This can be highlighted when comparing an LVT with a property tax. While the property tax levies taxes on the value of a site plus any capital improvements made to it, such as buildings, the LVT taxes the land value after the value of any improvements has been deducted. Therefore, under an LVT, a downtown parking lot and a downtown skyscraper are taxed equally, while

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<sup>33</sup> It is difficult to accurately estimate the total value of land. For example, stocks and shares, which often capture the value of natural resource wealth and monopolies, are often counted as capital. Similarly, depreciation in the value of houses is frequently underestimated, thereby underestimating the land value aspect of real estate. Furthermore, since other taxes and regulations depress production, they also depress the demand for land, thereby lowering rents. Consequently, in the absence of other taxes, we would expect the value of land to rise. If these gains are localized and labor and capital are assumed to be perfectly mobile and elastic, the rise in rents would correspond fully to the removal of these taxes, a principle sometimes known by the acronym ATCOR, which stands for ‘all taxes come out of wealth’ (Gaffney 2009, 370). Estimations of US and Australian land values range from around 20% to 30% of GDP (Cord 1985, 1991; Dwyer 2003; Fitzgerald 2013).

a property tax would impose a significantly higher rate on the skyscraper. Thus, under a property tax and other taxes on production, individuals are deterred from making improvements to their land, increasing its productive value, as this would raise their tax burden. As a consequence, the property tax keeps production below its full capacity, increasing consumer prices.

Conversely, under an LVT, people are deterred from leaving the land idle, not using it at its full potential. Thus, an LVT would remove the incentive to speculate on land. This would have the additional effect of increasing wages. Since speculation keeps productive land out of use, it pushes the margin of production to less productive land, thereby depressing wages. Furthermore, this would increase investments in real capital, thereby increasing productivity. Speculation on land does not increase production, as the supply of land is fixed; instead, it merely inflates land prices. However, speculation of land diverts funds from investments in real capital, which do increase productivity. Therefore, without land speculation, investments in real capital would increase. Finally, given that speculation on land values is also a major cause of economic fluctuations, an LVT would also counteract economic depressions (George 1898c, bk. IX:I).

Besides taxes on location values, land values could also be collected as severance taxes from natural resources such as minerals, oil, and gas. It could also be applied to intangible yet naturally occurring and congested resources, such as radio broadcast frequencies, domain names, satellite orbits, and airport landing slots. Another application would be emission taxes. Since the climate's natural ability to absorb greenhouse gases is a form of naturally occurring resource, its taxation would be a form of land tax<sup>34</sup> (Davies 2018).

A significant body of economic literature in the geoist tradition has examined the adequacy of land as a base for funding public goods. Since public goods increase local land values, many of these investments are self-financing. Thus, we maximize the efficiency of public goods when the marginal cost of public investments equals the marginal increase in rents. The Henry George Theorem states that, in a "spatial economy, where the spatial concentration of economic activity is due to a pure local public good and where population size

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<sup>34</sup> Interestingly, the geoist critique of landownership can be generalized in a sense to include all types of property. After all, all goods consist of matter, and physical matter is a form of land that existed before any production. We should think of the difference between wealth and land as the distinction between a gold statue and the lump of gold from which it is made. While we cannot disentangle the two objects physically, we can conceptually and economically distinguish between them. For example, we could compare the value of the statue to the value of an unprocessed lump of gold of equal quantity and quality. The difference in value would be attributed to the processing that has resulted in the statue. Thus, if we were to tax the statue at the same rate that we would tax the unprocessed lump of gold, we would tax the land aspect without taxing the improved aspect. Thus, in ideal theory, we could extend the geoist argument to include all items, including statues. Even if it might be difficult to tax these objects under non-ideal conditions, this would not undermine the geoist position, as it is not premised on our ability to perfectly implement these ideals, only that we ought to approximate them to the best of our ability.

is optimal, aggregate land rents equal expenditure on the pure public good” (Arnott and Stiglitz 1979, 472). Consequently, an LVT is not only efficient but also the single tax necessary to fund public goods (cf. Arnott and Stiglitz 1979; Hotelling 1938; Stiglitz 1977; Vickrey 1977).

Geoists disagree on how this revenue should be best spent. However, this question depends more on the normative than the economic aspects of geoist theory. Hence, in the next section, I will discuss geoism as a normative theory, and the ethical case against landownership. In the process, I will outline different interpretations of geoism, defending the equal share interpretation of geoism as the best interpretation of the theory.

### II.3. Normative Theory

If the geoist economic analysis of land is accurate, there seem to be many attractive features with a Single Tax on land. As it would not have any deadweight cost and would discourage unproductive speculation, it would be economically efficient. Additionally, since landownership tends to be concentrated among the wealthiest, it would also be strongly progressive, and, according to George, even be able to end class stratification altogether. In this thesis, I will focus on geoism as an interpretation of libertarian theory, which is sometimes known as left-libertarianism. As I understand the geoist normative theory, it consists of two claims, as summarized by George:

- Here are two simple principles, both of which are self-evident:
- I. — That all men have equal rights to the use and enjoyment of the elements provided by Nature.
  - II. — That each man has an exclusive right to the use and enjoyment of what is produced by his own labor. (George 1898d, 280)

The position is libertarian, in the sense of adopting a strong principle of self-ownership, in George’s words expressed as the latter principle that each person has an exclusive claim to the fruits of their labor. However, libertarians disagree on the moral status of external resources, falling into two broad categories “right” and “left-libertarians.” Left-libertarians also embrace George’s first principle, arguing that land ought to be distributed in some egalitarian manner (Vallentyne and Steiner 2000a, 2000b). Right-libertarians reject this, arguing that people can unilaterally appropriate an un-proportionate share of the world’s original resources (Bylund 2012; Christmas 2018; Feser 2005; Hodgskin 1851; Long 2006a; Nozick 1974; Rothbard 1998; Spooner 1855, 21).

While this chapter provides some initial arguments on libertarian principles of distribution, the issue is continuously discussed throughout the thesis. In Chapter V, I further develop the argument against right-libertarian theories of

property, particularly from an anarchist perspective. I also continue to discuss different interpretations of left-libertarianism throughout the thesis. While left-libertarians agree that these resources should be distributed equally, there is some internal disagreement on how this should be interpreted. In this thesis, I defend the equal share interpretation of geoism, according to which land or its rent ought to be distributed on an equal per capita basis (I. Carter 2012; Moseley 2012; Steiner 1994; Tideman 1991). In effect, this would result in a citizen's dividend, or universal basic income, connecting this interpretation to a broader normative literature on the desirability of such a social minimum (cf. Parijs and Vanderborght 2017; Widerquist 2013; Widerquist et al. 2013). In Chapter VII, I discuss how these principles could be implemented institutionally in an anarchist society.

In this chapter, I argue that the equal share interpretation of geoism is superior to two competing accounts of left-libertarianism. According to welfare egalitarian interpretations, land should be distributed to ensure that everyone has equal opportunities for welfare (Otsuka 1998, 2003; Roark 2013; Valentyne 2007; cf. Spafford 2023). The "sufficiency interpretation", on the other hand, holds that everyone should have a sufficient share of land, or a share of land enabling them to live a sufficiently good life (Contessa 2022; cf. Widerquist 2013).<sup>35</sup> I consider these positions in more detail in sections 3.3. and 3.4., respectively, arguing that they are problematic as interpretations of libertarianism.

In Chapter VI of this thesis, I will also consider, and reject, two alternative interpretations of left-libertarianism. On the traditional "Single Tax" account, the most important function of rents is to finance the state apparatus and public goods, such as security, education, and infrastructure. An influential argument asserts that this is only fair, as the land values largely reflect the presence of public goods and other externalities. Consequently, a land value tax does not expropriate the citizens but merely internalizes these benefits to the state that generates them (Foldvary 1994b; Harrison 1994). Another argument proposes that the best way to equalize land is to make it jointly owned, such that everyone has an equal say over its use (Grunebaum 1987; Steiner 1981; Vrousalis 2011).

Finally, to reiterate some crucial points from the previous chapter, I understand libertarianism as the view that all interaction should be consensual, and

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<sup>35</sup> The "independentarian" position developed by Widerquist differs somewhat from both sufficientarianism and left-libertarianism. Widerquist argues that propertylessness makes people unfree and dependent on those holding property. To become independent, each person would have to access some set of resources, in the form of a universal basic income. Thus, unlike most sufficientarians, the independentarian position is not based on considerations of welfare but considerations of negative freedom (Widerquist 2013, chap. 7:5). Furthermore, unlike most left-libertarianism, this independentarian position would not only require a redistribution of land or rents but also of other resources, if this would be necessary to ensure independence (Widerquist 2013, chap. 7:6).

thus, individuals should have the right to decline and dissociate from unwanted interactions with others. This concept can be further explicated in terms of self-ownership, equality of authority, the law of equal liberty, or non-aggression. Liberty, here, should be understood in the negative sense, indicating freedom from unwanted interaction rather than freedom to pursue some positive goal. Thus, these principles cannot guarantee any social outcomes, as these are contingent upon the choices of other individuals. People cannot be guaranteed any particular type of interaction with others, as this would oblige others to interact with them, thus undermining their right to dissociate. However, since all legitimate interactions must be mutually consensual, they are also mutually beneficial according to the interacting agents themselves. Consequently, one attractive feature of libertarianism is its compatibility with neutrality concerning what constitutes the good or the good life. For libertarians, the goal of justice is thus to coordinate our conflicting pursuits in a way that is compatible with our equality as agents, and not on the content of these ends.

This chapter is divided into four main sections. In the first section, I analyze this understanding of liberty in relation to property rights. In the second section, I discuss right-libertarian views on original appropriation and the left-libertarian critique of landownership. In the third section, I consider the Lockean proviso and argue that there are reasons for libertarians to prefer resource egalitarian versions of left-libertarianism over welfare egalitarian versions. In the fourth and final section, I contend that we can understand the equal share interpretation of geoism as a necessary and sufficient mechanism for justifying the exclusionary nature of property rights.

### II.3.1. What is Property?

To conceptualize property rights, it will be useful to first discuss the notion of rights as such. One of the most influential analyses of the subject comes from Hohfeld, who distinguished between four different understandings of rights: permissions, claims, powers, and immunities.<sup>36</sup>  $X$  has a permission to do  $R$  if  $X$  is not under any duty to either perform or refrain from the action.  $X$  has a claim right to do  $R$  if other agents  $Y$  are under a correlative duty to either do or abstain from doing  $R$ . These terms are correlated such that  $X$ 's claim right to do  $R$  implies that  $Y$  does not have permission to do  $R$ . Powers and immunities can be understood as second-order rights, i.e., rights regulating first order rights. Thus,  $X$  has a power if  $X$  can alter or transfer the first order rights concerning  $R$  to another party  $Y$  and has an immunity if  $X$  is protected from another agent  $Y$  altering or transferring the first order rights to do  $R$ . As with

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<sup>36</sup> Hohfeld uses the term "right" in a dual sense, both for the general category, including all four types of rights and for the second category here titled "claim rights." He also uses the term "privilege" for what I call "permission" and what other writers call "liberty."



permissions and claims, these terms are correlated such that  $X$  having an immunity to do  $R$  implies that  $Y$  does not have a power to do  $R$  (Hohfeld 2006).

Given this understanding of property, one could ask why property is desirable in the first place. Why can't everyone have permission to use everything? It would provide everyone with an equal right to the entire world. Under some conditions, this seems perfectly plausible. However, under other circumstances, such a system runs into problems. Especially if there is disagreement about what we ought to do, and resources are scarce, such that the available resources cannot satisfy all our goals. For example, imagine that our only available resource is a sack of grain. While you want to grind it into flour and bake it into bread, I want to use it for seed. If we both have a permission right to the grain, either of us could grab it and use it for our purpose. But in doing so, we would necessarily frustrate the other person's action. Consequently, we are locked into conflict concerning the resource. Neither of us can dissociate from the actions of the other, making our plans constantly vulnerable to interference from others. Since this system frustrates, rather than enables us to pursue our own ends, we require some system of conflict resolution (Hume 1912, 15–16, 2009, 755–56). Mere permission rights cannot perform this function as they, rather than helping us solve these conflicts, license them. If everyone may use these scarce resources, this leads to a Hobbesian state of war where our rights constantly clash with each other's (Hobbes 1909, chap. XIV).

One could address the issue by denying the importance of our disagreement. If one of us has the correct preference, while the other is wrong, then why not simply use the grain in the correct way and ignore the incorrect one? But such a solution would conflict with the libertarian commitment to neutrality concerning the good. This becomes even more clear when we consider the fact that conflicts over resources not only concern material want satisfaction, but also moral disagreements more fundamentally. If you want to use a scarce resource to fight an invading army, while I want to care for an elderly family member, we seem to get stuck in a moral deadlock. Neither of us seems to have more reason than the other to step down. The solution to this issue is not to argue that one is right while the other is wrong, or for either of us to surrender our moral integrity. Rather, the solution is that both of us adopt a lexically prioritized value of justice. The function of justice is to distribute rights, and thereby determine who is to step down in any given deadlock. Consequently, if the scarce resource we both want to use is yours, I could yield that you should have a right to decide in this matter, while still believing that my ordering of values is preferable to yours. As Steiner puts it:

In your present deadlock, we get the rights rule solution by asking 'Who should have the freedom here' and *not* by asking 'Which one of your respective opposing actions is the morally better one?' We know that there's no agreed answer to that latter question. That's why, even if you both accept the rights rule solution, you're not going to leave the [situation] in perfect rapport with one

another. But each of you can agree to the same answer to the former question despite, or consistently with, your disagreement on the latter. That's why embracing the rights rule solution involves no priority reversals nor primary rule negations. (Steiner 1994, 210)

Property rights have two features that enable them to settle such conflicts. The first can be explained in terms of a distinction between “naked” and “vested” permissions. Permissions without any corresponding claim rights are naked, in the sense that they are not protected from interference by others. While *X* may have a right to do *R*, in the sense that *X* is not under obligation not to do *R*, *X*'s doing *R* can still be blocked by other parties interfering with it. *X*'s permission to do *R* becomes vested when *X* also has a claim right against others not to interfere with *X* doing *R*. Essentially, this complements our right to use a resource with a claim right to exclude others from using it. Similarly, we can understand immunities as vesting power rights, preventing others from interfering with these powers (Steiner 1994, chap. 3C).

The second feature of property rights can be understood in terms of a distinction between intentionally and extensionally described rights. The former are rights to perform some certain action, such as making bread or planting seeds, while the latter are rights over a certain domain of resources. The problem of conflicting permissions arises due to scarcity of resources. Intentionally formulated rights always run a risk of becoming mutually un-performable if they require the same resource to be used in different actions. Thus, the only way to create a full system of mutually exhaustive and mutually exclusive sets of rights is to divide them extensionally. Consequently, we should understand rights as extensional, exclusive claims over domains, rather than intentional rights to achieve certain ends. “Hence the traditional Lockean view – that all rights are essentially property rights – far from being merely a piece of bourgeois ideology, actually embodies an important conceptual truth” (Steiner 1994, 93).

Finally, it is important to emphasize that property rights are often understood as a bundle of rights that can be divided into several discrete incidents. In his famous analysis of the concept, Honoré lists 11 such incidents of ownership, namely 1) the right to possess, 2) the right to use, 3) the right to manage, 4) the right to income, 5) the right to the capital, 6) the right to security, 7) the incident of transmissibility, 8) the incident of absence of term, 9) the prohibition of harmful use, 10) liability to execution, and 11) residuary character. A property owner can hold some of these incidents without holding all of them, or a property system can recognize some of these incidents without recognizing all of them. So while “full liberal ownership,” including all 11 incidents, is one possible form of ownership, it is not the only form of ownership. Consequently, the analysis of this thesis does not assume that property owners have all incidents of ownership, but only that they have some of these incidents (Honoré 1961).

Thus, property rights, understood as extensional permission vested by correlative claim rights, can address these conflicts by distributing the right to use these resources between the different claimants while imposing duties of non-interference on the part of others. Your property claim right to your grain precludes my using it for seed, and my property claim right to my grain precludes your using it to make bread. It provides the rights holder with a domain of authority within which the person can condition or deny others access, and hence also a domain of autonomy within which they are free to pursue their own ends in their own way. Regardless of how we ought to distribute these resources, this analysis implies that the very function of a system of property rights is to distribute these domains of authority and autonomy.

### II.3.2. Original Appropriation and the Problem of Propertylessness

All goods can ultimately be derived from two factors of production – land and labor. Furthermore, these elements are both necessary for any action. As corporeal beings, we cannot escape our bodies or exist outside of space. Consequently, my control over myself is a necessary condition for my ability to dissociate from others. If someone else owned me, this would logically preclude me from dissociating from them. Hence, my own person must be included in the domain over which I have the authority to exclude others. Or, put in other words, the libertarian right to opt out necessitates that everyone has full rights to themselves. However, libertarians disagree on how external resources, which are not part of us, ought to be distributed, sorting broadly into two categories. On the one hand, right-libertarians argue that people can unilaterally appropriate an unproportioned amount of resources, while left-libertarians deny this, claiming that land ought to be distributed in some egalitarian way.

According to the traditional Lockean account, one can appropriate land by “mixing one’s labor with it.” We can understand this theory as deriving property rights over land from our previously established property rights over our labor. By laboring the land, my labor becomes inseparable from the land itself. Thus, my original self-ownership is extended to the land on which I have labored (Locke 2003, para. 27).

However, from the geoist point of view, this argument is problematic. Land and rents are defined explicitly as those resources which exist independently of labor. Rents are deemed exploitative precisely because they deprive laborers of the fruits of their labor (George 1898d, 280). If we know what this site would be worth without any improvements, we can separate the value of our improvements from the value of the site itself. Furthermore, even if these were inseparable, it is not clear why this process would result in an extension of rights to land, rather than a forfeiting of these rights to the improvements. As

George put it: “There are improvements which in time become indistinguishable from the land itself! Very well; then the title to the improvements becomes blended with the title to the land; the individual right is lost in the common right. It is the greater that swallows up the less, not the less that swallows up the greater” (George 1898c, 341). Supporting this position, Nozick provides a thought experiment where someone pours a can of tomato juice they own into the ocean. As the tomato juice is dispersed in the ocean, the two become indistinguishable. Yet, we would resist the implication that the person owns the entire ocean (Nozick 1974, 174–78).

The argument from original appropriation is often based on an assumption that the value of land is entirely dependent on someone discovering, laboring, or improving it. After all, without any labor applied to it, the land would be useless (Kirzner 1978b; Locke 2003, sec. 43; Rothbard 2006a, 42). However, this argument is fallacious. In the same way, one could argue that the entire value of our labor is dependent on some land, since we would not be able to process anything if there was no original resource there. Nonetheless, this would generate the paradox that neither the land nor the labor have any value (Cohen 1995, 184). The argument relies on an equivocation between labor as an entire class of actions and a particular instant of labor. While it is true that land would be valueless without labor as an entire class, it is not true that land would be valueless without a particular instant of its being labored, since this would leave it available for others to labor (Mazor 2009, 45). We can separate the value of land from the value of our labor, at least in principle, by comparing the value of a good to the counter-factual value it would have had if it had not been processed. If the competitive price for an unprocessed lump of gold is \$10, and I forge it into a ring worth \$15, the value of my labor is \$5, while the land is worth \$10.<sup>37</sup>

A more plausible formulation of the theory holds that we, as human beings, need external resources to act in the world. By using these resources, we incorporate them into our plans and actions. Thus, when you meddle with a resource I am using, you also meddle with my plans and my actions. As actions of original appropriation do not meddle with resources incorporated into someone else’s actions, they are morally innocent. Once the resource is originally and innocently incorporated into our actions, it cannot be used by some second party without disturbing the actions of the original appropriator (Bylund 2012; Christmas 2018, 107–15).

However, one could object to the premise that original appropriation is innocent in the sense of not hurting anyone’s rights. The appropriator seems to transgress and harm latecomers in the respect that they, by appropriating the land, make it unavailable for appropriation by the latecomers. Before the land

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<sup>37</sup> Shapley value, first developed by Lloyd Shapley, is another influential solution for determining the value of different contributions in a cooperative game (Shapley 1952).

is appropriated, everyone, *ex hypothesi*, has permission to use the land. However, when the land is appropriated, this permission is retained by the appropriator, but removed for everyone else, thereby clearly making them unilaterally worse off. The argument assumes that our power to appropriate resources is naked. Nevertheless, for the same reason that naked permissions make us problematically vulnerable to others, naked powers to appropriate original resources make people problematically vulnerable to over-appropriation (I. Carter 2012). This becomes most clear when we consider extreme cases in which all available land becomes acquired by one party or a class of people.

Supposing the entire habitable globe to be so enclosed, it follows that if the landowners have a valid right to its surface, all who are not landowners, have no right at all to its surface. Hence, such can exist on the earth by sufferance only. They are all trespassers. Save by the permission of the lords of the soil, they can have no room for the soles of their feet. Nay, should the others think fit to deny them a resting-place, these landless men might equitably be expelled from the earth altogether. If, then, the assumption that land can be held as property, involves that the whole globe may become the private domain of a part of its inhabitants; and if, by consequence, the rest of its inhabitants can then exercise their faculties — can then exist even — only by consent of the landowners; it is manifest, that an exclusive possession of the soil necessitates an infringement of the law of equal freedom. (Spencer 1851, chap. IX §2)

Or as put by George:

Place one hundred men on an island from which there is no escape, and whether you make one of these men the absolute owner of the other ninety-nine, or the absolute owner of the soil of the island, will make no difference either to him or to them. In the one case, as the other, the one will be the absolute master of the ninety-nine — his power extending even to life and death, for simply to refuse them permission to live upon the island would be to force them into the sea. (George 1898c, 345)

We can understand this argument in two different ways. On one reading, it is an external critique of libertarianism, arguing that equality of authority is a misguided goal, as it fails to preserve equality of outcomes. In this view, the scenario where I am without land is analogous to the situation where I am unable to find a voluntary organ donor, threatening my survival. However, I believe that on a more interesting reading, this is an internal critique of the right-libertarian position, arguing that it fails to preserve equality of authority. In this perspective, the case is analogous to slavery, where individuals are unable to dissociate because others own them (George 1898c, bk. VII:II; cf. Tideman 2004; Widerquist 2013). When trapped on the island, the deficiency of the 99 seems to be precisely a lack of authority. This becomes clear when considering the possibility of a benevolent landlord, who, instead of abusing the 99, treats them well and satisfies their material needs. While this would

not raise material satisfaction issues, it would still create an imbalance of authority. The 99 would still be logically precluded from disassociating from the landlord. These interactions cannot be consensual, and hence cannot uphold equality of authority, as the 99 are unable to reject interaction with the landlord. Since we, as corporeal beings, must exist somewhere, our ability to opt out implies that there is somewhere we can opt out to.

Interestingly, these two interpretations of the argument can be connected to two different versions of egalitarianism, each disagreeing over the currency of egalitarianism. According to welfare egalitarians, people ought to be equally well off (Otsuka 1998, 2003; Roark 2013; Spafford 2023; Vallentyne 2007). Resource egalitarianism, on the other hand, advocates that people should receive an equal share of resources (I. Carter 2012; Dworkin 1981b; Mazor 2009; Steiner 1994; Tideman 1991; Widerquist 2013). While both views may have their respective merits, I believe that there are reasons for libertarians to prefer the resource-egalitarian version of left-libertarianism.

This disagreement can be captured with the following thought experiment. Imagine a scenario in which Happy and Unhappy are the only individuals. Happy has a cheerful disposition and many natural talents, while Unhappy has a melancholic temperament and few talents. Even if all resources were distributed to Unhappy, they would still not be able to enjoy the same level of well-being as Happy. Hence, while the resource egalitarian solution would give them equal shares of land, leaving significant differences in their degree of welfare, the welfare egalitarian solution would seek to minimize the welfare gap by giving all resources to Unhappy, leaving Happy with none.<sup>38</sup>

While intuitions are likely to diverge in this case, I believe there are clear reasons for libertarians *qua* libertarians to favor the resource egalitarian distribution. Since the welfare egalitarian solution would leave Happy without resources, it would also make Happy unable to dissociate from Unhappy. Some right to resources is a prerequisite for maintaining equality of authority. Hence, the welfare egalitarian solution is only able to make Happy and Unhappy equally well off in terms of welfare by making them unequal in terms of authority. As a result, only the resource egalitarian situation would preserve equality of authority and the core libertarian right to dissociate from others.

Admittedly, it is unfair that this would permit inequalities in welfare arising from unchosen differences in natural endowments. However, I believe that libertarians are committed by their own principles to permit some level of unfairness. If Happy has a right not to donate organs to Unhappy, who by no fault of their own requires such donations, it seems unfair in the same way. Thus, while Happy may have a non-enforceable duty to help Unhappy, it

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<sup>38</sup> Welfare egalitarians often construct scenarios in which the only way to ensure Unhappy's equal welfare or even survival is to give Unhappy larger shares of land than Happy (Cohen 1995, 104; Otsuka 1998, 80, nt. 37). Joseph Mazor uses a similar scenario to illustrate how welfare egalitarianism comes into conflict with the non-exclusionary condition that no one should be excluded from resources (Mazor 2009, 206–7).

seems that libertarians cannot recognize enforceable duties to alleviate such unfairness without violating the core libertarian commitment to the right to disassociate from others if they so wish. Consequently, while the welfare egalitarian position seems to provide more of an external critique of libertarianism, I believe that the resource egalitarian position follows from the internal commitments of libertarian theory.<sup>39</sup>

This also points to a further difficulty with the welfare egalitarian left-libertarian position. Namely, that it seems to lack a certain level of internal coherence. While there is nothing contradictory in accepting both full self-ownership and a welfare egalitarian distribution of external resources, they seem to be justified on very different grounds. “The resulting schemes, which judge the tax and transfer sides of fiscal policy by wholly different distributive criteria, seem morally incoherent. If the just state may not take more from the talented by virtue of their unequal talents — the premise of left-libertarianism — why may it give more to the untalented by virtue of their unequal talents?” (Fried 2004, 90; cf. Risse 2004). The resource egalitarian version of left-libertarianism avoids this issue because the very principle that underlies our commitment to self-ownership is the same argument that underlies our commitment to an equal share of natural resources.<sup>40</sup>

Finally, it is important to note that it does not matter whether there is only one landlord, or if many landlords are having a mutually exhaustive set of rights over the land. Even if there is a larger class of landlords, those left propertyless will be logically bound to interact with at least one of them. The fact that we can choose our master does not imply that we are free. For the same reason, it would not matter if land was available for purchase. This is partly because it could threaten to lock the people purchasing their freedom into debt and continued dependence. However, more fundamentally, it would still require that those born without land purchase their liberty, mandating that they serve at least someone in the propertied class, without being able to withhold consent (cf. Widerquist 2013).

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<sup>39</sup> I also believe that welfare egalitarianism presents two additional theoretical issues. First, it is very difficult to operationalize and measure welfare. Partly due to widespread disagreement over what constitutes a good life. Furthermore, since we cannot directly access other peoples’ mental states, it would be extremely difficult to accurately implement welfare egalitarianism in real life. Secondly, welfare egalitarianism generates issues concerning expensive tastes. Many find it counter-intuitive that people with an expensive taste for champagne and Russian caviar would be entitled to additional resources from those with more modest tastes, even if these tastes were not chosen. In extreme cases, we can imagine hypothetical expensive taste equivalents of “happiness monsters,” who would require basically all resources to achieve welfare levels equivalent to the rest of society. However, such outcomes seem very dystopian. Resource egalitarian frameworks avoid both of these issues (cf. Dworkin 1981a, 1981b).

<sup>40</sup> Some left-libertarians concede that their commitment to self-ownership and egalitarianism is based on different justifications, but they deny that this is a problem for their view (Valentyne, Steiner, and Otsuka 2005). Nevertheless, the theory would be much more parsimonious and attractive to libertarians if one could show that there are reasons for libertarians, *qua* libertarians, to accept left-libertarian views on property.

### II.3.3. Sufficiency and Equality

The only way to preserve the right to opt out is to guarantee that everyone has access to some land where they can opt-out to. In Lockean terms, original appropriation is only legitimate under the proviso that “enough and as good” land is left available for others to use (Locke 2003, sec. 27).<sup>41</sup> However, as the formulation suggests, this can be interpreted in two different ways. On the one hand, “enough” points to some sufficient threshold of property, enabling people to opt out of interactions with others (Contessa 2022; cf. Widerquist 2013). In contrast, “and as good” seems to suggest an egalitarian criterion, under which land is distributed on an equal per capita basis (I. Carter 2012; Mazor 2009; Moseley 2012; Steiner 1994; Tideman 1991). Nevertheless, either system would ensure that each person has somewhere where they can opt-out to.

For the broader argument of this thesis, either of these positions would suffice.<sup>42</sup> However, of the two, the equal share interpretation strikes me as more plausible as an interpretation of libertarianism.

First, it seems to be a more parsimonious position. Note that the sufficientarian proviso is problematically indeterminate. On its own, the principle cannot determine how to distribute any residual rent remaining after everyone has received their sufficient share. Presumably, these should not be left unused, but we need some additional theory of appropriation to determine who may use them. Moreover, the approach does not seem applicable in cases where there is not enough land to meet everyone’s needs sufficiently. Although no distribution in such a scenario could make everyone happy, we would at least expect our theories to provide some guidance. One could argue that residual resources, under abundance, should be distributed equally, and that land should be distributed equally under scarcity to ensure that everyone comes as close to sufficiency as possible. However, in this case, the sufficiency interpretation would just collapse into the equal share interpretation! For the sufficiency proviso to be meaningfully different from the equal share interpretation, it also requires some positive argument as to why residual and scarce resources should be distributed unequally.

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<sup>41</sup> I do not extensively discuss Nozickian interpretations of the proviso. In Nozick’s view appropriation is only legitimate under the condition that no one is made worse off than they would have been in a state of nature where there were no vested rights at all, i.e. in the Hobbesian war of conflicting liberties (Nozick 1974, 177–82; Mack 1995). However, even if this manages to preserve our welfare, it does not preserve our independence. The theory still implies that people would be unable to dissociate from the benign landlord.

<sup>42</sup> While I reject the sufficientarian interpretation of left-libertarianism, such a position would not undermine the larger argument of my thesis (and especially Chapters VI & VII) that left-libertarianism generates some anarchist implications. If everyone is entitled to some sufficient amount of land, and any argument for distributing landownership generalizes to an argument for distributing sovereign territory, it seems that this model would enable everyone to acquire some territory of their own. So even if it would leave the distribution of territory unequal, it would still be congenial to anarchism.



Furthermore, the sufficientarian position naturally raises the question of how large a sufficient share is. However, this problem seems both generally intractable and specifically at odds with libertarianism. “[T]he establishment of an appropriate level of sufficiency would be problematic for libertarianism, given that libertarians ought to eschew stipulations about what counts as an adequate standard of living, just as they eschew stipulations about what counts as a valuable way of life. The equal moral status of all persons (implied by the universality of the fundamental libertarian right to negative freedom) instead provides a nonarbitrary standard on the basis of which to limit the universal power of appropriation” (I. Carter 2012, 131–32).

Moreover, the equal share interpretation could be seen as a mechanism for resolving conflicts over scarce resources and justifying the exclusionary nature of property. Property rights arise from disagreements over the use of scarce resources. Thus, we can think of the problem as a form of symmetrical externality. If I use the resource in my preferred way, I will frustrate your desires, and vice versa. Consequently, we end up in a deadlock. The way to solve this deadlock is by shifting focus from how to use this particular resource to who should have the right to decide how to use it. In other words, by instituting property rights to the resource. I may disagree with your preferred way of using a resource while still agreeing that it is your resource, and vice versa (Steiner 1994, 210).

However, to settle the issue, we need some way to distribute these rights. This distribution cannot be based on any particular value system, such as utilitarianism, as this would reintroduce the problem of disagreement. It is precisely because we disagreed on the first-order issue of how to distribute these resources that we required a second-order conflict resolution mechanism. Any argument advocating for a weighted distribution would itself have to point to some external criteria of distribution. However, these criteria must themselves be based on a value of some sort, and this is the very matter in dispute. If we had agreed on any such ordering of values in the first place, there would be no need for a higher-order conflict resolution mechanism! (Steiner 1994, 216)

Consequently, the distribution of rights must not be based on the content of our values, but instead on our standing as political equals. We can think of it as analogous to the distribution of votes within a democratic order. Such votes arise as a second-order mechanism for solving the deadlock arising from first-order disagreement. Nonetheless, the distribution of votes cannot be based on the content of our preferences, as this is the very issue at stake. Instead, votes are distributed on an equal basis to reflect our standing as political equals.<sup>43</sup> Granting larger shares of resources to some parties would be akin to giving additional votes to some parties within a democratic election. While this might make them more equally well off in some respects, such as satisfaction of

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<sup>43</sup> In section VI.III. below I discuss why I believe that justice is better achieved by a substantially equal distribution of rents, than by some procedurally equal process for distributing rents.

material needs, it would also treat them unequally in another respect, namely give them unequal authority to decide these matters. This analogy seems to suggest not only that everyone should have some sufficient amount of resources, but also that everyone should have equal access to natural resources. Hence, we can understand justice in terms of equal liberty.

The equal share interpretation seems to be the most reasonable interpretation of the law of equal liberty that “*Every man has freedom to do all that he wills, provided he infringes not the equal freedom of any other man*” (Spencer 1851, chap. IV §1). If I were to take more than my per capita share, I would logically preclude everyone else from performing this action, thereby infringing on their equal liberty. However, taking my per capita share, or any share smaller than that, is perfectly compatible with similar actions by everyone else. Since these actions are compatible with the equal freedom of others, it would be morally impermissible to hinder them. Thus, land, or rents, should be distributed on a per capita basis. If someone desires less than their share, they would be perfectly free to give or sell it to someone else, without in any way infringing on the equal liberty of others to do the same (George 1898c, 342; Spencer 1851, chap. IX).

Interestingly, in this analysis, mixing labor is neither a necessary nor a sufficient condition to acquire rights to resources (Roark 2013, 143–46). If one were to mix their labor with a resource belonging to someone else, it would not become theirs, even if they invested more labor into it than the original owner. Furthermore, if there are a bunch of berries on a bush, which you want to collect for food, while I want to leave them for birdfeed, it seems excessive and wasteful to require that I pick each berry and drop it on the ground to establish a claim to it. Rather, my claim is established by the fact that I recognize your equal claim to the other half of the berries, as your claim is established by the fact that you recognize my equal claim.<sup>44</sup>

This principle could be achieved by redistributing land from those who have more than an average share to those who have less. Alternatively, the principle could also be satisfied more easily by charging landowners for the full value of land and redistributing the revenues on an equal per capita basis, as a form of universal basic income. Thus, anyone holding more than their per capita share of land would pay net rent, while those holding less than their equal share would receive a net income. This would enable everyone to use

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<sup>44</sup> This point is important because it does not discriminate between different ways of relating to resources. If the mixing of labor was a necessary condition for legitimate possession, it would be impossible to hold claims precisely to keep resources out of active use. For instance, if I want to preserve an area as an old-growth forest, it would be counter-productive if my only way to establish a claim to this forest was to cultivate it. However, according to the analysis suggested here, I could establish a claim over the forest, thereby excluding others from clearing it, without personally clearing it (Mazor 2009, 168).

their per capita dividend to acquire a per capita share of land, thereby providing them with some land that they can opt-out to, thus preserving the right to dissociate.

When people are deprived of equal access to their rightful share of resources or rents, it constitutes a form of theft. Using force to redistribute these rents on an equal per capita basis should not be considered a form of aggression, but rather a form of rectification of injustice, seeking to restore the conditions of non-aggression. Importantly, this is not only an issue of historical injustice concerning original appropriation, but the ongoing dispossession that occurs today.

Property in land, like property in slaves, is essentially different from property in things that are the result of labor. Rob a man or a people of money, or goods, or cattle, and the robbery is finished there and then. The lapse of time does not, indeed, change wrong into right, but it obliterates the effects of the deed. That is done; it is over; and, unless it be very soon righted, it glides away into the past, with the men who were parties to it, so swiftly that nothing save omniscience can trace its effects; and in attempting to right it we would be in danger of doing fresh wrong. The past is forever beyond us. We can neither punish nor recompense the dead. But rob a people of the land on which they must live, and the robbery is continuous. It is a fresh robbery of every succeeding generation — a new robbery every year and every day; it is like the robbery which condemns to slavery the children of the slave. To apply to it the statute of limitations, to acknowledge for it the title of prescription, is not to condone the past; it is to legalize robbery in the present, to justify it in the future. (George 1898f, 51)

### II.3.4. The Rent of Talents

Finally, I will address a common argument against the left-libertarian position, namely that its commitment to equal claims to land is in tension with its commitment to full self-ownership. I have tried to argue that both of these commitments are motivated by the same underlying libertarian principle: that people should be free to opt out of unwanted interactions. However, if geoists reject the unequal distribution of land on the basis that such incomes are unearned, this argument seems to extend to include much of what we would traditionally call labor. Since our natural talents and abilities are equally unearned, one could claim that the geoist is also committed to redistributing the income from these, thereby undermining their commitment to self-ownership.

This challenge can be made both as a *modus ponens* by liberal egalitarians against geoism for being insufficiently egalitarian (Cohen 1995, 102–6; Dworkin 1981b, 292–304), or as a *modus tollens* by libertarians arguing that geoism is insufficiently committed to self-ownership. As Benjamin Tucker argued:

If absolute equality is the ideal; if no man must have the slightest advantage over another, – then the man who achieves greater results through superiority of muscle or skill or brain must not be allowed to enjoy them. All that he produces in excess of that which the weakest and stupidest produce must be taken from him and distributed among his fellows. The economic rent, not of land only, but of strength and skill and intellect and superiority of every kind, must be confiscated. And a beautiful world it would be when absolute equality had been thus achieved! Who would live in it? Certainly no freeman. (B. Tucker 1926a, 190)

The argument concerning unearned talents raises an important challenge to geoism. However, I believe that there is an important distinction to be made between the unearned rents acquired by landlords and the unearned gains acquired through luck or talent. Specifically, while both are *unearned*, only the former is earned *at someone else's expense* (cf. Long 2012, 425–26). Thus, there is a crucial disanalogy between the case where you appropriate more than your per capita share of resources, leaving others with less, and you being born with more natural talents than others. Notably, being born naturally talented is not part of the explanation of why others are not talented. Even if one never interacted or was never born, this would not alter anyone else's natural talents one bit (cf. Spafford 2023, chap. 3).

Unlike landownership, my self-ownership does not come at the expense of someone else's self-ownership. It is not as if seniors become any less self-owning when their juniors are born. Similarly, my laboring does not preclude anyone else from laboring. My labor and the consequent gains would not have existed if I did not produce it. Thus, retaining these gains does not make anyone worse off, compared with my not producing it in the first place. While the distribution of land is a zero-sum game, the production of wealth is a plus-sum game. Hence, there is a crucial disanalogy between the person being born talented, at no one else's expense, and the landlord who appropriates so much rent that others are left landless, or in a situation where they have to pay rent to access the land. If the landlord did not exist, the land would still be around for the tenants to use, free of charge. Thus, the landlord does not only acquire rent without effort but also at the expense of others who are dispossessed<sup>45</sup> (Gross 1997).

One might argue that you are made worse off by my failure to compensate you for your misfortune. However, this does not seem to be the relevant counter-factual and seems to overgeneralize problematically. In that sense, I am made worse off if you refuse to become my servant, but we would hardly like

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<sup>45</sup> The problem arise not only when *A* unduly benefits from *B*'s existence, but also when *B* is unduly harmed from *A*'s existence. Assume a situation where group *A* and group *B* are locked into a deadly conflict over some scarce resource, where *A* is able to expel *B*. In this scenario, it seems that *A* would have preferred if *B* did not exist in the first place, as *A* would then have had the resource to themselves without any conflict. Yet, the situation is still clearly immoral, violating the law of equal liberty. While *B* is not part of the explanation of why *A* acquires the resource, *A* is part of the explanation why *B* does not get the resource.

to say that you would owe me compensation for this “harm.” It is not as though I would have had a servant if you, in some sense, interfered and deprived me of it. If you would not have been at the scene, there would not have been a servant to speak of (cf. Spafford 2023, chap. 3). Another potential counter-argument might be that even a per capita distribution of resources makes other people worse off. After all, given that the amount of land is a fixed sum, our per capita shares will decrease as the number of people increases. Thus, in some sense, I make you worse off merely by my occupying space that you could have used if I were not around. However, while overpopulation might be a problem, we all contribute to it equally, making it compatible with the law of equal liberty. Although such an argument might problematize excessive procreation, it cannot burden currently existing individuals with their parents’ actions (Tideman 1991, 124).

Ultimately, I believe we can respond to the objection of over-generalization by pointing to a distinction between socioeconomic equality, often emphasized by liberal egalitarians, and equality of authority, underlying much of libertarianism. Roderick Long defines such equality of authority as “a prohibition of any ‘subordination or subjection’ of one person to another.” While both forms of inequality are undesirable, we tend to see the latter as a greater evil than the former. For example, we “would certainly be more outraged at being robbed or assaulted by a colleague than at learning that the colleague was receiving a higher salary” (Long 2001). While both forms of equality are desirable, libertarians deny that one may infringe on equality of authority to promote socioeconomic equality.<sup>46</sup>

If we justified geoism using the liberal egalitarian argument that such unearned socioeconomic benefits are unfair, this argument would also extend to talents. However, in this chapter, I have tried to suggest that we can understand the two commitments of left-libertarianism, to self-ownership and to equal access to land, as following from the more fundamental libertarian commitment to equality of authority. This makes the inequalities arising from unequal landownership fundamentally different from the unfairness arising from inequalities in natural talents. Consequently, I have tried to argue that there are reasons for libertarians *qua* libertarians to accept the equal share interpretation of left-libertarianism, and that one can coherently do so without undermining the libertarian commitment to self-ownership.

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<sup>46</sup> Even in Rawlsian terms, the liberty principle that “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all” is lexically superior to the difference principle that “Social and economic inequalities are to be arranged so that they are [...] to the greatest benefit of the least advantaged” (Rawls 1971, 302). While a world where people are equally talented, *ceteris paribus*, is more fair than one where some are more talented than others, and there might be a strong moral duty to help those born unlucky, such obligations are not coercively enforceable, as this would violate the liberty principle.

# Chapter III – Libertarian Anarchism

## III.1. Introduction

Anarchism is a diverse tradition, and the term is used to denote several different positions. One important distinction can be made between “philosophical” and “political anarchism.”<sup>47</sup> Philosophical anarchism is the position that states do not have any moral authority to command people, and, as a corollary, that people do not have any moral obligation to obey state commands, merely because they are the law. Political anarchism, on the other hand, is the position that there are feasible non-state institutions that are on balance more desirable than states. Hence, states lack justification and can, and ought to, be abolished.

Philosophical anarchism does not necessarily entail political anarchism. Even if philosophical anarchism is true, there could be moral or practical reasons for accepting the existence of a state. Any such state would lack authority, but it would be allowed to enforce laws that can be justified on independent moral grounds. In this chapter, I discuss both of these positions. However, the distinction between them is important, as the two positions rely on somewhat different approaches to political theory. While philosophical anarchism is primarily focused on pure normative argumentation, the arguments for political anarchism tend to often rely on comparative institutional analysis, thereby becoming more reliant on economic assumptions about human behavior and feasibility. Hence, feasibility arguments only tend to challenge political rather than philosophical anarchism. Even the most ardent political anarchist is likely to have a higher degree of confidence in philosophical anarchism than in political anarchism, and a higher degree of confidence in the anarchist critique than in the proposed anarchist solution to these challenges. Consequently, throughout this chapter, and the thesis more generally, I try to distinguish between claims that are derived from philosophical and political anarchism.

We can understand both philosophical and political anarchism as positions rejecting state exceptionalism or applying double standards when evaluating state and non-state behavior. According to philosophical anarchism, states should be evaluated by the same moral standards as used to evaluate non-state actors. If it is wrong for non-state actors to engage in some activity, it is also

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<sup>47</sup> These terms are somewhat confusing, since both terms refer to positions that are both philosophical and political.

wrong for the state to do so. Conversely, if it is morally permissible for the state to engage in some activity, it is also permissible for non-state actors. Similarly, the argument for political anarchism rests on an assumption of behavioral symmetry between states and non-state actors. Like other agents, the state and its representatives respond to the incentive structures they face. Therefore, if we believe that people, in general, would act abusively in a given situation, we should also expect states to do so. Moreover, if we believe that monopolies, in general, have harmful features, and understand states as a type of monopoly, we should expect these same harmful features to arise within state monopolies.

Nonetheless, even among political anarchists, there is a broad range of theories and positions. This chapter, and this thesis, primarily focuses on libertarian anarchism, i.e., anarchism as theorized within the broader libertarian literature.<sup>48</sup> Thus, I only make passing references to other traditions, such as communist anarchism or syndicalism. There are three main reasons for this. The first reason is connected to the argumentative strategy of the thesis. Since the arguments of my thesis (especially Chapter V) are intended to provide an internal critique of a libertarian anarchist position, it is important that I present the theory in a way that is representative of this tradition. The second reason is methodological. Within this libertarian anarchist tradition, the types of arguments have primarily been drawn from analytical normative philosophy and economic theory.<sup>49</sup> Since this methodological approach resembles the type of

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<sup>48</sup> The conception of anarchism as used in this literature, and hence also in this thesis, is primarily focused on states and coercion. However, it is important to notice that anarchism is often used in a broader sense as the rejection of all systems of hierarchy and domination, including, but not limited to, the state (cf. McLaughlin 2021). While I am sympathetic to this stronger view, it is more demanding than the more narrow conception. The arguments I pursue in this thesis are perfectly compatible with the more demanding conception. However, the arguments do not presume it. In other words, the arguments of my thesis can internally critique positions that only accept the narrow conception, even if they do not accept the more demanding conception. Consequently, I focus my internal critique on the narrower conception to make the arguments more generalizable.

As a related matter, my discussion of anarchism refers to several self-styled “anarcho-capitalists.” Whether these should be considered genuine anarchists is controversial among other anarchists (Gillis 2007; Long 2007a, 2018; Morgenstern 2010; Neal et al. 2020, sec. F). Regardless of whether they should be, the arguments presented in this thesis also apply to libertarian anarchists who are not anarcho-capitalists and can be less controversially designated as anarchists. Moreover, since the arguments of this thesis would also apply to the anarcho-capitalist position, it would be strange not to address them.

<sup>49</sup> This approach can be connected to the term “analytical anarchism,” which is used in somewhat different ways by different authors. Peter Boettke has used this term to refer to a type of anarchist analysis grounded in economic reasoning, favored by many libertarian anarchists (Boettke 2005; Boettke and Candela 2021). Alan Carter has used it in analogy with Analytical Marxism, combining the ideas of the historical socialist movement with the tools favored in contemporary analytical political philosophy (A. Carter 2000). Similar to Carter’s characterization, this chapter strives to explain social processes in terms of state predation rather than technological development. Another connection between this thesis project and Analytical Marxism comes from the fact that the contemporary left-libertarian literature that I draw upon,

analysis favored by many geoists and left-libertarians, it enables me to connect arguments from these literatures with each other. The third reason is theoretical. Since the other main theory of this thesis, geoism, is often thought of as a “left-libertarian” interpretation of libertarianism, this enables me to situate the entire thesis within the broader libertarian theoretical framework. Thus, it provides me with one unified theoretical structure within which I situate the thesis. Using this type of analysis, I strive to show that there is a close parallel between the geoist critique of the land monopoly and the libertarian anarchist critique of the state monopoly.

This libertarian anarchist theory can be understood as a radicalization of the classical liberal or libertarian commitment to voluntary interactions and spontaneous order. Such voluntary interaction enables mutually beneficial plus-sum interactions, harmonizing our interests. Most classical liberals also assume that these voluntary interactions could only occur against a background of exogenously enforced state law and property rights, defending people from predatory zero- or negative-sum interactions. While libertarian anarchists agree that voluntary interactions might require law and property rights, they argue that these can be better provided endogenously by the system of voluntary interactions itself, rather than through an exogenous, non-voluntary state monopoly (Boettke 2005).

Given this understanding of anarchism as a rejection of state authority and state institutions, it is also apt to consider what we mean by this term. Max Weber famously defined the state as:

[A] human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory. Note that ‘territory’ is one of the characteristics of the state. Specifically, at the present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the ‘right’ to use violence. (Weber 1946, 4 italics in original)

It is important to note that Weber uses the term “legitimacy” differently from the philosophical literature on political authority. While the latter uses the term in a moral sense, denoting the moral right to rule, Weber employs the term in a sociological sense, indicating social recognition of a right to rule. As is made clear by many historically oppressive regimes, states may hold legitimacy in the sociological sense without holding it in the moral sense. Although anarchists may believe that a sociological belief in legitimacy is mistaken, they need not deny the existence of such beliefs. Thus, for the sake of this thesis, we can disregard the term “legitimate” from the definition of states, instead understanding states as monopolies of violence *simpliciter*.

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and aim to contribute to, largely grew out of the work of scholars associated with the September Group, also famous as an important forum for the development of Analytical Marxism.



The two main elements of this definition are that the state is founded on violence and that it is a monopoly. The notion of states as a system of violence becomes clear when we consider people who defy state laws. If someone refuses to obey the law, they will ultimately be violently apprehended by state officials and punished. It is important to note that this claim, that states are ultimately grounded in violence, is not intended to be conspiratorial but rather conceptual. It is part of the definition of a state that its rule is based on violence. If a rule is not maintained by such an underlying threat of violence, it would not qualify as state law, and an organization that fails to enforce its rule with such threats would not qualify as a state. Furthermore, the organization must have an effective monopoly on the use of such violence. As discussed below, I use the term monopoly in a dynamic sense, referring not to the number of suppliers in a market, but rather to entry conditions into this market.

This chapter is divided into three parts, with this introduction being the first. In the second part, I discuss philosophical anarchism and state authority. Philosophical anarchists contend that state authority would require some explanation, yet none of the explanations suggested in the literature can satisfactorily vindicate this authority. Thus, we do not have reason to believe that states have authority. In the third part, I explore political anarchism and state justification. I posit that there is a *pro tanto* reason for libertarians to prefer anarchy to states if anarchy is feasible. I then consider some possible arguments against the feasibility of anarchy and different anarchist responses to these arguments.

## III.2. Philosophical Anarchism

### III.2.1. The Concept of Authority

Philosophical anarchism is the view that states do not have political authority. Political authority comprises two components:

- (i) *Political legitimacy*: the right, on the part of a government, to make certain sorts of laws and enforce them by coercion against the members of its society – in short, the right to rule.
- (ii) *Political obligation*: the obligation on the part of citizens to obey their government, even in circumstances in which one would not be obligated to obey similar commands issued by a nongovernmental agent. (Huemer 2013, 5)

Henceforth, I will omit the prefix “political,” merely referring to these concepts as “authority,” “legitimacy,” and “obligation.”<sup>50</sup>

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<sup>50</sup> While some scholars use these terms slightly differently, my usage of the term and discussion of the positions closely follow that of Michael Huemer (2013). Interestingly, Huemer has discussed the legitimacy of land value taxation and anarchy. While he might see land taxation as legitimate in principle, he posits that it is unlikely to exist under anarchy, suggesting that the

The concept of authority can be illustrated by considering examples in which non-state actors behave in ways similar to a state. Assume, for example, that I would issue a general command that a specific substance, such as alcohol, was now prohibited. Upon encountering someone consuming alcohol, I punish them by writing them a ticket. If they refuse to pay for this ticket, I escalate by incarcerating them in my cellar. Most would agree that such behavior is clearly immoral; my command has no authority.<sup>51</sup> Consequently, my writing someone a ticket for disobeying my command is merely extortion, and my incarceration of the person would be deemed kidnapping. However, states are generally assumed to have the authority to issue such commands, thereby generating obligations on the part of others to comply with these commands, and rights to enforce these commands if not obeyed or punish those who fail to comply. Authority is the hypothetical property that makes these actions permissible when carried out by a state, even though they would be wrong if carried out by anyone else (Huemer 2013, 3–4).

State authority encompasses five important features. First, it is *general*, meaning that state commands apply to the vast majority (if not all) of its citizens and residents. Secondly, it is *particular*, such that it only applies to a state's citizens and residents, but not to foreign populations. Third, authority is *content-independent*, implying that the obligation to comply with authoritative commands does not depend upon the content of these commands, but rather on who is making them. Of course, if a state command happens to coincide with independently existing moral obligations, such as laws against murdering innocent people, individuals are obliged to act in accordance with the law. However, the reason why these actions are wrong is independent of the commands made by the state. Even if the state made murder of innocents legal, or even mandatory, this would still be morally wrong. Thus, authority entails not only the right to stop people from performing morally impermissible actions, but also the right to establish new, morally binding obligations via commands. Fourth, authority is *comprehensive*, giving the state a wide (if not absolute) scope of activities that it can command individuals to do or abstain from doing. Finally, it is *supreme*, such that the state is the highest human authority. Thus, within its sphere of authority, no one else may command the state, nor does anyone else have the same authority to command as the state (Huemer 2013, 12–13).

It is noteworthy that authority does not necessarily entail an absolute obligation to obey the law. Most proponents of authority would argue that the law

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costs associated with having a state would outweigh the benefits derived from being able to collect land value taxes (Huemer 2021).

<sup>51</sup> One could object that there are relevant differences between myself and the state, as the state relies on the rule of law. However, we can easily adjust the example to accommodate this complaint. For instance, if I clearly announce my commands, making them predictable, and set up an independent court to adjudicate my law, etc. Even in the light of such modifications, most people would still deny that you have an obligation to obey my commands.

only creates a *pro tanto* obligation to obey. As illustrated by the example of murdering innocent people, most people would agree that there are limits to what states may command people to do or abstain from doing. In other words, reasons from authority can be outweighed or defeated by other considerations. Thus, the claim of philosophical anarchism is not merely that state commands are defeasible, but rather that state commands, as such, do not provide moral<sup>52</sup> *pro tanto* reasons for complying in the first place.

Such authority requires some justification. First, because this hypothetical property is mysterious in and of itself, conflicting with our ordinary moral beliefs. Within liberal politics, we assume that individuals are natural moral equals. However, by definition, authority grants states privileged powers that are denied to others. Nonetheless, the state is merely a group of people. Thus, we need some explanation for why this group of people would possess abilities denied to other groups of people. Furthermore, we must also be able to explain which groups of people have this authority and which are mere pretenders. Moreover, given that there is more than one legitimate authority, we must also clarify why a given population is subjected to the commands of one authority rather than another. Philosophical anarchism posits that there is no satisfactory explanation for state authority. If we cannot explain why states possess these rights while other groups do not, we must assume that the state is analogous to other institutions or persons. Since we assert that other individuals or institutions lack authority, the same must be true for states as well<sup>53</sup> (cf. Hunt 2008).

Philosophical anarchism as such implies that states should be evaluated by the same moral standards as non-state agents. However, it says nothing substantial about what these standards are. The defining feature of states is that they are monopolies of violence. Consequently, all state activities, *qua* state activities, is ultimately based on violence. Thus, state activity would only be legitimate under conditions where people generally may legitimately engage in violence. However, ordinarily, we have a strong moral presumption against the use of violence. These three premises: the philosophical anarchist claim

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<sup>52</sup> Of course, even if there were no moral reasons for complying with laws, there could still be prudential reasons for doing so, just as there could be prudential reasons for complying with the commands made by a mugger. However, obligations concern moral rather than prudential reasons for action. One could also imagine that there are instrumental or epistemic reasons for complying with commands and recommendations made by experts, such as doctors. However, such epistemic authority generally does not create any moral obligation to obey or any right to coerce individuals into compliance, making it different from political authority.

<sup>53</sup> A distinction is sometimes made between *a priori* and *a posteriori* arguments in favor of philosophical anarchism. While the former strives to show that authority as such is problematic, the latter strives to show that no existing arguments in favor of authority succeed. In this section, I follow an *a posteriori* argumentative strategy, similar to (Huemer 2013; Simmons 1979). In section III.3.2., I defend an *a priori* anarchist argument positing that monopolies cannot be consensual, and that state monopolies cannot have authority, if we accept the consent theory. For another famous *a priori* argument, see (Wolff 1970).

that states lack authority, the conceptual claim that all state activity is ultimately based on violence, and the normative presumption against violence, together form a presumption against state activity (Huemer 2013, chap. VII).

Since people, in general, may not restrict the voluntary exchange or migration of their neighbors, nor impose paternalistic, moralistic, or redistributive commands upon them, neither should states. If the state is morally on par with a hypothetical vigilante banning alcohol, this would have severe moral implications, not because alcohol consumption is a valuable and cherished activity, but because extortion and kidnapping are deeply immoral. An important implication of philosophical anarchism, therefore, is that it, together with common sense moral assumptions and conceptually uncontroversial claims about states, seems to support broadly libertarian policy implications. Conversely, a characteristic feature of libertarians is not only that they reject aggression, but that they apply these criteria consistently toward state and non-state actors alike. Thus, even if libertarians disagree on the political anarchist question of whether states can be justified, they tend to accept the philosophical anarchist position that states lack content-independent authority (Huemer 2013, chap. 7).

This section will examine three influential arguments in favor of state authority. First, I consider the social contract theory. While contracts would be able to generate authority, we cannot plausibly be said to have consented to any such contracts. Secondly, I explore arguments from consequentialism and fair play. Even if we grant that these can establish moral obligations, these obligations do not seem comprehensive, content-independent, or supreme, and thus do not qualify as authority. Third, I assess the argument that we have natural duties to abide by valid political procedures. However, it seems that our natural duties fails to meet the criteria of content-independtness and particularity. This chapter only intends to provide a brief overview of these positions. In Chapter VI, I also discuss geoist versions of these arguments in more detail, arguing that geoists, *qua* geoists, should accept philosophical anarchism.

### III.2.2. Arguments from Consent

Arguably the most famous argument in favor of state authority is the argument from social contract theory, or consent. In a nutshell, the argument holds that people can establish binding obligations via contracts. Hence, if we contractually consent to obey the commands of a state, we become morally obliged to do so, thereby granting the state authority. Finally, the theory argues that we, in some meaningful way, have consented to state authority.

The emphasis on consent makes this theory very congenial to libertarianism. Moreover, the premise that binding moral obligations can arise through contracts seems plausible. However, the latter claim, that we have meaningfully consented to states, is much more controversial. Some social contract

theorists, such as Locke, believed that many states originated from explicit social contracts, although these contracts were lost to history (Locke 2003, secs. 100–104). However, considering the historical records, it seems that most states were established via conquest, rather than contract, and the subjects were forced into submission rather than freely consenting to its rule (Oppenheimer 1922).

Even if a state were to originate in a free contract, such contracts would only be binding on its original signatories. However, since we cannot make binding promises on behalf of our descendants, such a contract would only be relevant to the first generation of signatories (Spooner 1870, sec. I). Locke has an interesting response to this argument, claiming that social contracts hold in perpetuity because the original signatories have bound, not their descendants, but their land to the state. Thus, individuals residing on the land are contractually bound to also obey the state (Locke 2003, secs. 116–7, 120–21). While I will consider this argument in more detail in the latter parts of the thesis, its strength relies on one's conception of legitimate property rights. In Chapter V, I argue that right-libertarian property rights could legitimize such states and that this gives anarchists reasons to reject this notion of property rights. In Chapters VI and VII, I argue that geoist notions of property rights cannot be used to justify monopolistic states.

One way of addressing this issue is to focus on hypothetical contracts, rather than actual contracts. For example, imagine an unconscious patient arriving at a hospital, urgently needing a blood transfusion. In ordinary cases, we cannot give blood transfusions to people without their consent. However, in this situation, it seems reasonable to perform the transfusion, because the patient would have accepted it if they could consent. On similar grounds, one could argue that we would consent to the state in hypothetical scenarios (Huemer 2013, 37; Waldron 1987, 138–39).

One problem with such arguments, however, is that hypothetical arguments only seem to hold when it is difficult or impossible to actually obtain consent from a person. If the patient were conscious, we would not be able to provide them with a blood transfusion without asking them, referring to hypothetical consent, especially if the patient explicitly dissented to the procedure. This is true, even if the patient's reasons for rejecting the treatment were based on religious or cultural beliefs that cannot be justified rationally. Since individuals are capable of actually expressing consent or dissent to state authority, there is consequently no reason for turning to hypothetical consent instead (Huemer 2013, 37–39). Put more generally, the mere fact that it would be fair or reasonable for someone to accept a certain contract, such as a job offer, a marriage proposal, or an offer to purchase your car, does not ordinarily oblige people to do so. Furthermore, it certainly does not give anyone else the right to violently force them to do so (Huemer 2013, chap. 3).

One could also respond to these issues by making a distinction between explicit and tacit consent. Tacit consent occurs when we consent, not via some

explicit action or utterance, but rather implicitly through behavior. For example, if you invite me to a party, informing me that everyone who attends the party is expected to help clean up afterward, my attendance at the party would express tacit consent to also help clean up. As the example illustrates, we can often incur valid obligations through tacit consent. Some advocates of social contract theory argue that we tacitly consent to be ruled by state law, for example, by remaining within its jurisdiction. Put succinctly, we can “love it or leave it” (Locke 2003, secs. 120–121).

However, even if tacit consent were to generate authority, it seems that tacit consent is only given in a rather narrow set of circumstances. For example, it would be unreasonable if someone claimed that anyone who rejects their authority could only express this dissent by cutting off one of their arms, or by not blinking for the next 20 minutes. Since these actions would be extremely costly or difficult to perform, they are not suitable as conditions for dissent. Similarly, it seems excessively costly to demand that someone relocate to a new country in order to express their dissent against being ruled (Huemer 2013, 25–30).

Note that this does not depend on there being low opportunity costs for dissenting. For instance, if you offer me a great job, the cost of declining it would be huge, yet the offer is still legitimate. Conversely, even if dissent could be expressed in a relatively cheap way, such as paying you one dollar, the contract would still be deemed illegitimate. What makes the former contract legitimate, while the latter is not, is that the latter contract infringes on my rights, while the former does not. By stipulation, the dollar was mine by right, while the job offer was not (Huemer 2013, 25–26). Using this distinction, one could argue that states may legitimately require consent from all their residents or expel all non-consenting residents, as the state has legitimate rights over the territory. Once again, this argument turns on our notion of legitimate claims to land and is discussed more extensively in later chapters of this thesis.

However, notice that such an argument would give rise to the potential issue that it would be impossible to express consent if all territories were exhaustively controlled by a single state. The moral value of our consent deteriorates if it becomes impossible for us to express dissent. However, if consent is premised on the possibility of dissent, this would also pose problems for our currently existing international regime, where all the world’s territory is exhaustively controlled by different states. While individuals may reject one state in favor of another, they cannot dissent from the international system of states as a whole. While we can choose among authorities, we cannot choose not to be subordinated to any authority at all. Territory is monopolized in the sense that it is impossible to start a new state or to dissociate from states altogether. Therefore, in order for consent to states to be legitimate, dissenters must have some place to which they could exit (Beran 1987, 32).

Indeed, such a system would be incompatible with state authority. States, by definition, are monopolies of violence. However, if we understand monopoly as a market without free entry, and free entry is necessary for consent, it becomes impossible to consent to a monopolistic situation. In Chapter VII, I further discuss what it would entail to have free entry to the market of governance and territory. However, such a situation should be better understood as anarchic rather than statist. Consequently, I believe that social contract theory not only fails to establish the authority of currently existing states but, even more severely, is unable to establish the authority of any state-like system at all.

### III.2.3. Arguments from Fair Play and Consequentialism

There is a family of arguments claiming that the state produces different desirable outcomes, which, in turn, oblige citizens to obey its commands. In the third part of this chapter, I delve into the political anarchist argument against the premise that states generate more desirable consequences than anarchy. Interestingly, if the position described in the third part is correct, it seems that this family of arguments would indicate that we have moral obligations to resist state authority. However, for the sake of argument, we can accept the premise that states do produce desirable consequences while evaluating this family of arguments. According to philosophical anarchists, these arguments would be unable to establish authority, even if states produce more desirable consequences than anarchy.

The most straightforward argument arises from consequentialism. According to consequentialism, we should always pursue the course of action within our set of available options that has the best consequences. If states produce desirable consequences, one could argue that we should obey state law. However, even if states, on the whole, were to generate more desirable consequences than other institutional arrangements, this argument runs into problems when we consider compliance with specific laws in particular situations. In some situations, it seems that we could achieve better consequences by defying rather than conforming to state law. For instance, if the marginal benefit of a dollar would be larger if given to some charitable program than if given to the state, consequentialism not only seems to permit, but even requires one to cheat on taxes in order to maximize charitable donations. Consequently, consequentialism only seems to give us reason to obey state law when doing so would result in better outcomes than defying the law. However, this makes our reasons to obey state law entirely contingent upon the content of the particular law. Thus, consequentialism cannot establish any content-independent obligations to obey laws *qua* laws. In other words, it cannot establish authority (Huemer 2013, 81–86).

Perhaps one could respond to this issue by distinguishing between act consequentialism and rule consequentialism. According to rule consequentialism,

we should always act in accordance with a set of rules that would lead to the best possible outcomes if everyone followed them. Moreover, perhaps the rule “follow the law” would generate better consequences than the alternatives. However, a challenge with this position concerns how to formulate these rules. If the rules are too general, they may lead to problematic consequences, for example, by barring specialization and the division of labor. For example, it seems that the rule “become a scientist” could have disastrous consequences if everyone followed this rule and no one produced food or built buildings, etc. Following this argument, no one should ever become a scientist. Conversely, if the rules are very specific, they would collapse into a mere act of consequentialism. For example, supporting the rule “you ought to follow the law when doing so generates better implications than not following the law, and disobeying the law when this generates better consequences than obeying the law.” However, such a rule would not provide any content independent reasons to comply with state law (Huemer 2013, 85–86).

A related argument is that the obligation to obey the law stems from a duty of fair play toward other law-abiding citizens. Duties of fair play arise within cooperative projects where success is conditioned on a sufficient number of people contributing to the project, thereby generating benefits for the entire group, including those who have not actively contributed themselves. Under such circumstances, duties of fair play imply that one is obliged to contribute to the project since one will benefit from its realization. In other words, it is a duty not to free-ride on the efforts of those who are actively contributing to the project. Since the state, as the argument goes, is such a cooperative project benefitting everyone under its jurisdiction, it would be unfair not to obey the state while benefitting from the fact that others are doing so. Consequently, people have a duty of fair play to obey the state (H. L. A. Hart 1955; Klosko 2005; Rawls 1999).

To illustrate the notion of fair play, we can consider a case with several people in a lifeboat that is taking on water. To stay afloat, at least some, but not necessarily all, individuals must help bail water out of the boat. In this case, the project of bailing out water causally generates a major public good. While the benefits of cooperation are shared among everyone in the boat, the costs are concentrated on those bailing water. Your participation would reduce the burden on the others without imposing unreasonable burdens on yourself. Thus, the duty of fair play says that it would be unfair for anyone in the boat not to help bail water, thereby free-riding off the onerous labor of others (Huemer 2013, 87–88).

According to the argument from fair play, we can view the state as a scheme for cooperation similar to the lifeboat. It generates a wide range of different major public goods, which apply generally to all of its subjects. To maintain these goods, most, but not all, subjects must also pay taxes and obey the law. Since your compliance with the law and payment of taxes would reduce the



burdens on others without imposing unreasonable sacrifices on your part, this argument suggests that you have a duty not to free-ride on your fellow citizens.

It is somewhat controversial whether such situations always give rise to enforceable duties. Especially libertarians might be reluctant to accept such an obligation since it could undermine people's ability to disassociate from interactions they benefit from but have not accepted (cf. Nozick 1974, 90–95). On some accounts, I must also voluntarily accept the benefits from the cooperative scheme to incur duties of fair play (Rawls 1999; Simmons 1979, 107–8). However, under such a condition, the argument comes closer to the consent theory discussed above.

Nonetheless, even if we, for the sake of argument, agree that there is a duty to bail water out of the boat, it is not clear whether this extends to a duty to obey the law. For example, imagine that Abe assumed the role of enforcer of this cooperative scheme. However, in addition to enforcing the duty to bail water out of the boat, Abe also enforces a command to pray to Poseidon, the god of the ocean, and commands Ben to hand over his wallet to Caleb. Since these additional tasks are useless for the project of keeping the boat afloat, we would intuitively say that Ben does not have any obligation to abide by them. Thus, it seems that the duties of fair play are neither comprehensive nor content-independent. Furthermore, it seems that everyone has a right to enforce compliance within such cooperation schemes. Imagine that Abe is negligent and does not notice that Ben is free-riding. Furthermore, Abe himself neglects to bail water. Under these conditions, it seems that some third party, such as Caleb, would be entitled to enforce both Ben and Abe's compliance. If so, the right to enforce duties of fair play is not supreme. Consequently, duties of fair play do not justify state authority (Huemer 2013, 93–100).

### III.2.4. Arguments from Natural Duties

Finally, one family of arguments suggests that states acquire their authority because people have a natural, or pre-political duty to create or participate in just institutions. According to this position, the state of nature is not only materially precarious for the people in it but also morally problematic, as it does not enable us to establish relations of justice with each other (Kant 1996, 6: 307). In John Rawls's famous phrase, we have a natural duty to “support and to comply with just institutions that exist and that apply to us” (Rawls 1971, 115). However, formulated in this broad sense, the position seems somewhat question-begging. We cannot justify state authority on the basis that states are just unless we also have some independent criteria for justice. Yet, if our criteria for justice are independent of the state, it seems that it cannot justify content-independent, comprehensive, or supreme authority. This implies that state law is only legitimate if it conforms to independently existing criteria of justice.

However, one way to make this position more comprehensible, and more distinctive, is to argue that we can determine the justice of these institutions independently of their substantial content. What makes these institutions just is not necessarily the particular substantive policies they produce, but rather the process through which these policies are generated. If these rules have originated from a legitimate process, we have a natural duty to comply with them, independent of their substantial content. Since the process may yield a variety of different substantial outcomes, this would allow for content independence, comprehensiveness, and supremacy.

One paradigmatic example of such a theory is the authority of democracy. While individuals cannot be considered free when subjected to the will of others, or some ruler, some would argue that democracy enables individuals to rule themselves, making them both law-givers and law-obeyers simultaneously. Consequently, democracy renders our obligations autonomous, and hence legitimate. However, this perspective runs into problems when we consider the fact that the losing minority in any election must still abide by rules they have not consented to or voted for. The theory cannot explain why they are obliged to obey or may be forced to comply with a law they do not support. Consequently, only unanimous elections would truly make everyone autonomous (Wolff 1970).

In ordinary situations, we do not believe that people are obliged to comply with the will of the majority, merely because they outnumber the minority. Imagine that you and some friends visit a bar. At the end of the night, the tab arrives and someone suggests that you should take a vote to decide who should pay for it. Now, if you voluntarily participated in such an arrangement, it seems that it would be legitimate to also make you pay. However, in that case, the argument seems to rest more on your consent rather than the majoritarian nature of the process. Now, assume instead that you explicitly state that you do not want to participate. Despite your objection, the others go through with the vote and decide that you should pay for the drinks. In this case, it seems that you have no obligation to comply with the will of the majority. When two muggers attack a lone pedestrian, their superior numbers hardly condone their behavior (Huemer 2013, 59–60).

Furthermore, another important challenge to this family of arguments is that it is unclear which existing, just institutions truly “apply to us.” For example, we can consider a local interest group that makes decisions by a just procedure and promotes my interests. Nonetheless, we would hardly say that I owe them any political obligation to obey their demands, independent of their content. Without the “apply to us” criteria, it is unclear why we ought to obey “our” state rather than a foreign institution that may be equally or even more just. While consent theory can explain why I have obligations toward some particular state but not others, the natural duty conception does not, thereby posing problems with the particularity requirement of political authority (Simmons 1979, chap. VI).

Ultimately, the reason for this failure is that the natural duty conception fails to properly distinguish between an institution having authority and it being justified. It is difficult to see which type of procedures, aside from consent, could establish a content-independent obligation to obey (Simmons 1999, sec. IV). However, even if only consent can confer content-independent authority, institutions that we have not consented to may still be justified, as being overall socially desirable compared to all feasible options. In the next part of this chapter, I examine the distinction between authority and justification. I also consider the political anarchist position asserting that states cannot be justified, and that we consequently can and should abolish them.

### III.3. Justification and Political Anarchism

#### III.3.1. State Justification

In the previous part of this chapter, I examined the philosophical anarchist position asserting that states lack authority. In this part, I discuss the political anarchist position, which contends that states also lack justification. A state has authority if it has the right to establish and coercively enforce new obligations upon its subjects. A state is justified, on the other hand, if it is, on balance, preferable to all feasible non-state alternatives (Simmons 1999, 742).

This distinction can be elucidated by comparing it to the difference between seeing a company as an overall positive social institution and being a client of that company. While only clients have personal obligations to fulfill agreed-upon responsibilities toward the company, even non-clients may still see its existence as preferable to its non-existence, and thereby have reason to support or, at least, not undermine its continued existence. Similarly, while only those who have consented to the authority of the state may have content-independent obligations toward the state, even those who have not consented to the state may still see it as an overall positive force, which should not be undermined (Simmons 1999, 752).

Hence, an institution may be justified without having authority. For example, an institution that only enforces people's independently existing duties, such as prohibitions against murder, would be justified even if people lacked any content-independent reasons to obey the institution. Thus, the stronger political anarchist position not only denies that states have the authority to impose obligations but also contends that states are not justified, as there are feasible non-state alternatives that are, on balance, preferable to feasible states.

Consequently, there are two features that are central to the concept of justification. First is the fact that it is a comparative notion, suggesting that an institution is justified if it is preferable to other options. This raises the question of how we can compare the desirability of institutions using libertarian

standards. Libertarianism, as I have outlined previously, can be understood as a rejection of aggression and exploitation. Violence should only be used defensively to restore the conditions of non-violence. Consequently, it seems that an institution would be deemed justified if it did not require or engage in such rights violations. However, it might turn out that there are no feasible institutions that do not rest on some degree of rights violations. In that case, the best we can do is to try to approximate this goal, even if it would be impossible to do so perfectly. An institution would then be justified as a second-best alternative if it approximates the conditions of non-violence better than other options.<sup>54</sup> As this approximation is a scalar notion, we can also say that some institutions are more or less desirable than others. While anarchists generally argue that no states are justified, they may still maintain that totalitarian regimes are much worse than liberal democratic states.

Secondly, the concept of justification relies on the notion of feasibility. There is some disagreement concerning how to best understand feasibility, but it can broadly be expressed in terms of the dictum that “ought implies can.” While some situations might be metaphysically possible, they could still be exceedingly unlikely and unstable in practice. For example, even if there is nothing metaphysically impossible about an enlightened despot ruling in everyone’s best interest, our understanding of human nature suggests that power tends to corrupt. Thus, any despot holding unchecked power is much more likely to use it for their own interest than in the interest of all, making stable, enlightened despotism unfeasible, even if it is not logically impossible. Essentially, institutions are justified if they are the best among our set of feasible options. If no form of desirable anarchy is feasible, this is reason to accept states as justified.

When comparing and evaluating institutions, it is important to compare them on equal grounding, comparing idealized states with idealized anarchy, and non-ideal anarchy with non-ideal states. In other words, unless we have strong reasons to the contrary, we should assume behavioral symmetry between individuals acting in state and non-state settings. Rather than assuming that individuals are virtuous in one situation and vicious in the other, we need

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<sup>54</sup> This view of justice as a goal to be approximated may be somewhat controversial. In general, we think that rights are constraints on our actions rather than a goal to be maximized. For instance, we would not say that it is legitimate to punish an innocent person, even if this would lead to less crime in general. Consequently, one could argue that we should never permit any rights-violating actions, regardless of the consequences. However, such a *fiat iustitia et pereat mundus* position might also have unappealing implications. For example, if it turns out that Hobbes was correct and a world without some (aggressive) state coercion would result in a war of all against all, where abuse would be much more widespread than under states. For the sake of argument, I will thus concede that an institution could be justified as a second-best option even if it relies on some rights-violating behavior, given that it can better approximate the conditions of non-violence than its alternatives.

to look at the incentive structures faced by these agents.<sup>55</sup> A recurring theme in the anarchist response concerning critiques of infeasibility is that these issues cause similar or even more severe problems for state institutions. Consequently, they do not provide us reason to prefer states over non-state institutions (Freiman 2017; Huemer 2013, chap. 8).

However, the notion of feasibility raises a methodological issue, since it is exceedingly hard to determine what is feasible and what is not. While empirical methods<sup>56</sup> can help establish feasibility since “is” certainly implies “can,”

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<sup>55</sup> Both the rational choice assumption of narrow, self-interested economic agents and the assumption of behavioral symmetry between people in state and non-state settings could be questioned. Pro-sociality varies, ranging from effective altruists donating the bulk of their income to charity to “sociopaths” lacking empathy and remorse. There is also a wide variety of institutional environments guiding people’s behavior, from pacifist Moriori and Quakers to totalitarian and genocidal regimes such as the Belgian Congo or the Third Reich.

One could argue that people would become more virtuous under just state institutions than they would be under a state of nature. However, there are also important considerations indicating that people become less virtuous under state institutions. Within hierarchical systems, sociopathic traits tend to be strongly overrepresented among people in positions of economic and political power. One explanation for this is that hierarchical systems tend to attract and favor such behavior, enabling the worst to get on top (Hayek 1979, chap. 13; Tullock 1965, 22–23). Another explanation is that power itself tends to corrupt our morals. People in positions of power become less empathetic, as they are less dependent on the social esteem of their subordinates (Bregman 2020, chap. 11; Kropotkin 1888). Furthermore, coercive state provision of public goods may remove the sense of personal responsibility for one’s community and prevent people from practicing altruism, thereby impairing voluntary cooperation and fostering egotism (Michael Taylor 1987, 168–75). Conversely, individuals also tend to commit their worst atrocities under systems of authority and collectivism, as they comply with the expectations and orders of perceived authorities (Bregman 2020, chap. 10; Huemer 2013, chap. 6).

While these psychological considerations are important, I center the discussion on considerations from political economy, since these are methodologically closer to the main argument of this thesis. However, it is also important to notice that such considerations themselves may have important implications for psychological considerations. Production generates plus sum interactions, while exploitation results in zero or negative sum interactions. According to the *doux commerce* theory, individuals engaging in trade are thus incentivized to think of their fellow human beings as potential customers and collaborators, promoting pro-sociality. This claim can be further supported by the observation that decentralized, voluntary systems of cooperation tend to select nice strategies, incentivizing individuals to become more prosocial (Axelrod 1984; Friedman 2014, chap. 60; Storr and Choi 2019). Plundering, however, fosters us to think of people as antagonistic competitors for scarce resources, or worse yet, as potential predators or prey, thereby deterring cooperation. Finally, some have argued that crime and vice stem largely from the destitution and inequality resulting from exploitation. Thus, freed from exploitation, people would be able to live more flourishing and virtuous lives (George 1898c, bk. IX:IV). Consequently, if the anarchist economic analysis is correct, this could give us more reason to also accept the anarchist psychological argument. Conversely, if the Hobbesian analysis of the state of nature is correct, such an environment would also select for and foster anti-social psychological traits.

<sup>56</sup> While the arguments I investigated in this chapter are primarily theoretical, there is also interesting empirical literature on endogenous order. Case studies of trench warfare and biological systems have shown that spontaneous cooperation can arise and remain stable, even in antagonistic or non-sentient environments (Axelrod 1984, chaps. 4, 5). These stable, decentralized patterns of cooperation have even been shown to arise under conditions of cultural diversity, widespread violence, and criminality (Leeson 2021). Other studies have shown that people around the world have been able to endogenously overcome collective action problems related

the reverse “is not” certainly does not imply “cannot.”<sup>57</sup> In contrast, while theoretic arguments may convincingly rule out impossible situations, such as logical contradictions, they do not provide certain answers concerning which institutions within the realm of possibility are also feasible. Given these methodological constraints, we should be cautious concerning our ability to determine the realm of feasibility. While the arguments presented in this section seek to show that anarchism is at least not impossible, they do not establish the feasibility of anarchism beyond reasonable doubt. Rather, the arguments seek to establish that anarchism would be desirable if it is feasible. Consequently, the subsequent arguments in the thesis could be understood as conditional. They are not based on the positive assertion that anarchism is feasible, but rather seek to explore the implications of the view if it is feasible.

Thus, the general argumentative structure of this part consists of two steps. First, I argue that anarchy, if it is feasible, would be preferable to states by libertarian standards. Secondly, I consider three influential arguments against the feasibility of anarchy, as well as anarchist responses to these arguments. The rest of this chapter is structured as follows. In the second section, I analyze the difference between states and anarchy in terms of monopoly and free entry. I argue that states, unlike anarchy, inherently rely on some rights violations. Consequently, anarchy is *pro tanto* preferable to states. If anarchy is also feasible, it would undermine the justification of states. In sections III, IV, and V, I consider different arguments to the effect that these institutions are not feasible, along with possible anarchist counter-arguments. Hence, section III addresses the counter-argument associated with the ability to generate and enforce uniform law in the absence of monopoly states. In section IV, I explore the argument asserting that these situations fail to resolve central cooperation problems, such as the prisoner’s dilemma. Consequently, they fail to safeguard against different forms of exploitation and aggression, leading to a less libertarian society. I discuss anarchist arguments on how order can arise endogenously without a monopoly state. I also outline an anarchist argument for why states are more likely to foster exploitation and how anarchy can function as a mechanism for restraining such abuse. In section V, I consider the argument positing that states are natural monopolies. Since there are inherent features in anarchy that would give rise to states, this argument claims that these stateless situations are unstable and hence unfeasible.

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to the “tragedy of the commons” (Ostrom 2015). Furthermore, there are also interesting anthropological and historical studies of well-functioning stateless societies (Graeber 2004). Some particularly interesting case studies of highly decentralized legal systems include Celtic Ireland (Peden 2007), the medieval Law Merchant (Milgrom, North, and Weingast 2007), and medieval Iceland (Friedman 2007; Geloso and Leeson 2021; Long 1994b).

<sup>57</sup> Since empirical evidence is limited to historical data, this may preclude any notion of moral progress, where future institutions are different, or preferable, to all those that have existed historically. Yet, we do know from historical experience that moral progress is possible, for example, in the abolition of chattel slavery. While this would have been considered unfeasible for most of human history, it is now a reality.

### III.3.2. A *Pro Tanto* Argument for Anarchism

In this section, I discuss the difference between states and anarchy, and in the process, also argue that there is a *pro tanto* reason to prefer anarchy over states.

Recall that states are defined as being *monopolies* on violence. However, the notion of monopoly, and its counterpart competition, needs to be more closely analyzed. We can make a distinction between a static and a dynamic understanding of monopoly.<sup>58</sup> In the static sense, a market is considered monopolized if there is only one supplier. Conversely, in the dynamic sense, a market is deemed monopolized if entry to the market is restricted. While static competition focuses on the distribution of market shares at a given time, dynamic competition focuses on the latent ability of new producers to enter the market. Hence, we ought to understand states not merely as any institution that seeks to provide security to its members, but more specifically as a monopoly on the provision of these goods (Long 2008c, 137).

Secondly, states are monopolies of *violence*. One characteristic feature of libertarianism is its rejection of aggressive violence (Rothbard 2006a, 27). In other words, violence is only permissible when used defensively, in order to restore the conditions of non-violence. Consequently, if states are justified by libertarian ideal theory, they can only rely on the defensive use of violence. Some minarchist libertarians have defended such defensive minimal states. Since such a minimal state would only enforce laws against aggression, its use of violence would be completely defensive, and hence justified on a content-dependent basis (Nozick 1974, pt. I; Rand 1964; Vallentyne 2007).

However, anarchists have contended that such a purely defensive state would not be able to maintain a monopoly on violence. Presumably, everyone has an equal moral right to defend themselves against aggressive violence, individually or collectively. Thus, we can imagine how some people would like to opt-out from the state and start their own defensive associations. In such a scenario, the initial state could respond in one of two ways. It could crack down on the new entrant, thereby preserving its monopoly. However, this would constitute an act of aggression. By creating a new defensive association, these individuals would not have committed violence against anyone else, so stopping them from doing so could not be considered defensive. It must instead be considered aggressive. The morally required option, thus, is to permit new entrants into the market of security. However, if the state allows the new entrants, it would no longer hold a monopoly position, and thereby would not qualify as a state (Childs 2007a; Rothbard 2006b, chap. 1).

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<sup>58</sup> As discussed in footnote 12 above, while this use of the term is not standard within the broader economic literature, it is common within the Austrian economic school and the libertarian anarchist literature (Kirzner 1978a, chap. III; Lavoie 1985, 38; Long 2008c, 137).

Essentially, a monopoly is a privilege that is granted to the monopolist while denied to everyone else. However, this privilege seems inherently morally problematic. As discussed in the first part of this chapter, the state and its representatives have no authority above or beyond that of other mortal human beings. Thus, it is difficult to understand why the state may engage in behavior that others may not. If these actions are morally permissible, they should be equally permissible to everyone. If they are not morally permissible, they should not be permissible to states either (Long 2001, 2004c, 2008c, 150). We could also express this argument in terms of the law of equal liberty, that each should have “freedom to do all he wills, provided he infringes not the equal freedom of any other.” Since ignoring state commands or entering the security market does not infringe upon the equal freedom of others to do the same, there is no moral basis for forbidding these actions (Spencer 1851, chap. XIX). Thus, these moral problems are inherent to states as such.

Just as the alternative to monopoly is competitive markets with free entry, the libertarian anarchist alternative to a security monopoly is free entry into this market, along with free competition in all other services currently provided by monopoly states. Of course, there are many ways to provide such goods in a non-monopolistic way. For example, everyone could provide these services in individual autarky. However, since there are clear benefits from division of labor and specialization, many people would likely opt to provide these services in some cooperative manner.

The crucial feature of these associations, distinguishing them from states, is that association with them would be voluntary. As a corollary, the provision of such services would also be competitive. Consequently, this system would permit members to exit at will and transfer their allegiance to some competing association. If none of the existing associations were deemed satisfactory, it would be open for anyone to create a new alternative. Thus, they would rely on actual, explicit social contracts, rather than any notion of moral privilege or aggressive violence to undermine competition and restrain people’s exit options (cf. Chartier 2011b, 2012a; Friedman 2014; Huemer 2013; Long 2004c, 2008c; Molinari 2009; Rothbard 1998, 2006a; Stringham 2007; Tandy 1896; B. Tucker 1926f).

Notice that the main focus of the libertarian anarchist argument is not the internal organization of these associations but rather the freedom of association itself. Thus, the argument is compatible with a wide variety of different types of associations, enabling people to associate on whatever terms they choose. These associations could be organized both as for-profit companies and as communes distributing the burdens and benefits of the association “from each according to their ability, to each according to their need.” This can be connected to the idea of “anarchism without adjectives,” an ecumenical approach to anarchism according to which people may freely associate with each other and experiment with different economic systems (de Cleyre 2005;



Hess 2011; cf. de Puydt 2006). In Nozick's terminology, it provide "a framework for utopia" (Nozick 1974, pt. III).

One might object that at least some hypothetical states need not rely on aggression or problematic forms of privilege. Specifically, associations that acquire the full consent of everyone within society. It may seem that anarchists would have no basis for condemning such an institution, since everyone would have consented to its rule. However, I do not think that this scenario is a counter-example against the anarchist rejection of states. Even if everyone consented to belong to a given association, this association would not qualify as a monopoly in the dynamic sense of the term if it permitted free exit for its members, and corresponding free entry for new competitors. Consequently, even if an association acquired a consensual static monopoly, but no dynamic monopoly, it would not qualify as a state. Since consent seems to presuppose actual exit opportunities, and since such exit opportunities would undermine the monopoly status of the association, it appears that consensual states are not only improbable but impossible. Thus, if we accept the consent theory of authority and the analysis of states as dynamic monopolies, this seems to provide an argument not only for the *a posteriori* anarchist argument that currently existing states are illegitimate but for the *a priori* anarchist argument that legitimate states are impossible!

To summarize the argument, to qualify as a monopoly, it is necessary to restrict the entry conditions to a given market. Thus, to qualify as a state or a monopoly of violence, it is necessary to restrict the entry conditions to the market for security. However, to restrict entry to the market for security, it is necessary to engage in aggressive use of violence. Consequently, to qualify as a state, it is necessary to engage in aggressive use of violence. Since this is morally wrong, all states are *pro tanto* morally wrong. If both states and anarchy were proven to be feasible, there is a moral reason to prefer anarchy. States can only be justified as a form of second-best minimization of aggression if it turns out that an anarchist system that does not rely on such aggression is unfeasible.<sup>59</sup>

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<sup>59</sup> However, even if it turns out that states are a necessary evil, this prospect should be one we lament rather than celebrate. "A statist who took this point of view could not be *cheerful* about her statism, but on the contrary would have to conduct herself with the tragic solemnity of Agamemnon (sic) sacrificing his daughter to save the fleet. The innocent statist, too, could hardly permit herself to reach this grim conclusion without first investigating possible alternatives—which, for a statist in the academy, would have to involve carefully researching and trying to refute (and desperately hoping to be *unable* to refute) the wealth of libertarian literature arguing that most of the other evils she cites can be prevented through nonstatist means. By these criteria, few statist qualify as innocent. To seek for alternatives to inequality in authority would be to acknowledge that statism involves such inequality *before* ascertaining that alternatives are available, and this would force upon the statist an unpleasant choice she prefers to avoid. Hence I regard statism as being, at least in most cases, a moral vice, rather than a mere cognitive mistake, in much the same way that racism and sexism are moral vices, not mere cognitive mistakes" (Long 2001).

### III.3.3. Polycentric Law

Even if the argument of the previous section shows that competition in the provision of security would be preferable to monopoly states, one may still question whether such competition is feasible. According to John Locke, there were three major inconveniences with the state of nature that would incentivize individuals to create states. In this section, I discuss these three inconveniences and possible anarchist responses to them. Essentially, anarchists argue that these inconveniences are more problematic for monopoly states than they are for anarchy.

The first inconvenience is that there would be no established, settled, known set of laws in the state of nature. Since different persons will have different interpretations of natural law, and no one has a privileged position in determining which of these interpretations will be adhered to, there will be no uniform standards of justice (Locke 2003, sec. 124). However, anarchists argue that the inference from uniform standards of law to monopolistic interpretation of these laws is unwarranted. If there is market demand for uniform law, markets can provide such uniformity. For example, markets can spontaneously give rise to standardized currencies that are established, settled, and known to all, even if there is no monopoly government issuing this currency. Similarly, markets can provide standard dimensions for credit cards or standard formats for cassettes due to market demand for such uniformity (Long 2008c, 134–36).

One historical example of such a process is the Law Merchant in medieval Europe. During this era, the lack of uniformity of commercial laws between different states generated a major impediment to international trade. In response, European merchants developed a uniform set of international mercantile law and a system of private courts arbitrating these rules. The merchants had no coercive enforcement mechanism for these rules but were still able to maintain general compliance with them due to a threat of boycotting non-complying merchants. By contrast, states, which are less responsive to consumer demand for simple, well-known laws, tend to create an immense amount of bureaucratic legislation and regulations. The result is that the law can only be understood by trained legal specialists (Long 2008c, 135–36; cf. Milgrom, North, and Weingast 2007).

There is good reason to believe that such rules would broadly conform to libertarian notions of justice. First, since no one in the system would have authority and people generally tend to have a strong aversion against aggression initiated by non-authorities. Secondly, because people in such a market system would internalize the cost of enforcing legal rules. While many people might be willing to advocate paternalist or moralist laws in a state system, where they can externalize the cost of these preferences to taxpayers, fewer would be inclined to personally pay higher fees to enforce laws against such

“victimless crimes.” Finally, such rules tend to be economically efficient, deterring negative-sum interactions such as stealing, while promoting positive-sum trade and exchange. Thus, common law systems historically tended to favor reconciliation and compensation between parties, rather than retribution (Friedman 2014, chaps. 31, 43; Hasnas 2007, 189; cf. Chartier 2012b).

Locke’s second inconvenience is that justice requires impartial arbitration of legal disputes (Locke 2003, sec. 125). While it seems reasonable that cases should be judged by impartial arbiters, this does not seem to warrant an inference to the conclusion that we also need to have a monopolistic neutral arbitrator. Such an inference seems to rely on the fallacy of composition. It is structurally similar to an inference from the premise that every person has a father, to the conclusion that there is some person who is everyone’s father (Long 2008c, 136).

On the contrary, it seems that anarchy is better able to satisfy this criterion than monopoly states. Under anarchy, any conflict between two parties could always be arbitrated by some neutral third party. Conflicts between *A* and *B* can be arbitrated by *C*, while conflicts between *B* and *C* can be arbitrated by *A*, etc. However, monopoly states generate a judicial bias in all cases where the state itself is one of the parties in the dispute. If *A* is to arbitrate all conflicts, this would introduce a bias in any conflict where *A* itself is a party. While the division of power between different branches of government may mitigate this problem, it does not seem to perfectly solve it. We could hardly be comfortable having the legal division of a private firm arbitrate conflicts involving other branches of the same firm. Consequently, the demand for impartial arbitration seems to favor the anarchist scenario under which no parties are privileged over others, enabling each party to balance and check each other (Long 2008c, 137).

Locke’s third inconvenience is that people may not be able to enforce their legal claims on their own. Consequently, justice requires the assistance of some monopoly government (Locke 2003, sec. 126). However, once again, the argument seems to be based on a fallacy. While people might need assistance in the enforcement of legal claims, there is no reason to believe that this service must be monopolized. By analogy, the fact that each person cannot make their own shoes does not warrant the inference that a monopoly government has to manufacture all shoes. Instead, it is perfectly compatible with a competitive market for different shoe providers. Similarly, the argument seems perfectly compatible with a situation where several different voluntary associations are assisting their members to enforce legal claims. On the contrary, the argument causes much more significant problems for monopolistic situations, in which it will be much more difficult to enforce legal claims against the monopoly government (Long 2008c, 137).

Hence, anarchists do not see monopoly states as a guarantor of impartial law, but rather as a threat to it. They favor anarchy, not because they oppose the rule of law, but because it is the best way to achieve this end.

Separation of powers, like federalism and elective democracy, merely *simulates* market competition, within a fundamentally monopolistic context. Anarchy thus represents the extension, not the negation of constitutionalism ... A monopoly government, i.e. an agency that refuses to submit its use of force to external adjudication, is by definition lawless; thus anarchy is the completion, not the negation of the rule of law. Anarchy ‘comes not to destroy but to fulfill the law.’ (Long 2008c, 141)

### III.3.4. Politics and Predation

The most famous argument against anarchism is probably Thomas Hobbes's analysis of the state of nature. According to Hobbes, people in the state of nature are unable to cooperate; this is partly out of fear of being exploited by others and partly out of temptation to exploit the other party. Consequently, people in the state of nature are locked into a perpetual “war of all against all” making life “nasty, brutish and short.” As a solution, Hobbes argues that power should be concentrated in a powerful sovereign to deter people from conflict (Hobbes 1909).

For example, one common critique of the competitive provision of security is that such situations would lock the agencies into violent conflict, making the system highly unstable and prone to war (Rand 1964, 23). However, there is reason to be skeptical of this argument. After all, people belonging to different states find themselves in legal conflicts all the time, without their countries being dragged into an open war with each other.

There are also theoretical reasons to believe that defensive agencies would not be too prone to resolve such disputes violently. Violence is a very costly mechanism of conflict resolution. Decision-makers in states are often able to externalize the costs of war to their citizens via compulsory taxation or conscription. However, if people were able to dissociate from defensive agencies, thereby avoiding both compulsory taxes and conscription, these agencies would have to internalize the full cost of their conflicts. Defensive agencies disposed to violence, when this could be avoided, would thus incur much higher costs, and as a consequence need to charge much higher subscription fees than their more peaceful competitors. This would deter clients from such agencies, and thereby deter agencies from such behavior. Thus, we can assume some level of good faith in trying to resolve conflicts peacefully, not out of ideal theoretic stipulations or hopes of reforming human nature, but out of the incentive structure of the system itself (Friedman 2014, chaps. 29–30; Huemer 2013, chap. 10.3).

Consequently, associations would be incentivized to offer protection from aggressive invasion from others but would be deterred strongly from offering protection to aggressors against the legitimate enforcement of justice from other parties. “Offering protection for criminals is analogous to offering fire insurance to arsonists” (Huemer 2013, 239). Thus, in conflicts between clients from different associations, the associations would be incentivized to attribute

guilt by delegating them to some fair, neutral, third-party arbiter or jury. If their client is an innocent victim, they would be obliged to enforce their claim, or else gain a reputation for not living up to their contractual protective obligations. However, if their client is an aggressor, they would not have any obligations to defend their client from such just enforcement of justice. Since the victim, unlike the aggressor, would have the support of their association, enforcement of justice would be relatively inexpensive, and generate no inter-association conflict<sup>60</sup> (Friedman 2014, chap. 29; Huemer 2013, chap. 11; Rothbard 2006a, 275–90; cf. Milgrom, North, and Weingast 2007).

The Hobbesian argument can be analyzed in modern, game-theoretic terms as a prisoner's dilemma.<sup>61</sup> The traditional solution to this situation is to stipulate a third party in the state, able to coerce both parties into cooperating, thereby solving the dilemma. The anarchist critique of this solution is that the state is treated as an exogenous *deus ex machina*, without interests of its own. While the state may enforce contracts between the original players, who is to enforce the social contract between the state and its citizens? Who will guard the guardians? We cannot stipulate new meta-states into an infinite regress. However, if people in the state of nature would prefer exploiting others to cooperating with them, and we assume behavioral symmetry between state and non-state agents, we should also assume that states would prefer exploiting their citizenry to cooperating with them.<sup>62</sup> Hence, the state would both have the means and the motive to perpetually exploit its subjects (Jasay 2007).

Another solution to such a prisoner's dilemma is to focus not only on single interactions but also on indefinitely repeated games. Under these conditions, a player's success will depend not only on the outcome of the current game but also on future interactions. While there is still a short-term incentive to cheat other players, doing so will probably deter them from cooperating in the future. Nonetheless, while there are large gains to be made from perpetual cooperation, there is no uniquely winning strategy, as there are no guarantees that the other party will reciprocate cooperation. Whether your strategy is successful will depend on the strategy of the other player (Axelrod 1984, chap. 1).

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<sup>60</sup> Aside from such formal legal enforcement, severe aggressors could also be punished in an informal and decentralized way via boycotts and social ostracism (cf. Muldoon 2021).

<sup>61</sup> These situations arise when two parties are both able to choose between cooperating or defecting, and both have an ordering of preferences where their first preference is to defect while the other cooperates, their second preference is cooperation, their third preference is mutual defection, while their least preferred option is to cooperate while the other defects. In these situations, each party is incentivized to defect, regardless of what the other party does. If you cooperate, my defection will enable me to exploit you. If you defect, my defection will enable me to avoid being exploited by you. This makes mutual defection an equilibrium outcome, even though both parties would have preferred mutual cooperation to mutual defection.

<sup>62</sup> Similarly, even if states would address cooperation problems internally, they might give rise to similar cooperation problems externally at the international level of states (Michael Taylor 1987, 165–66).

However, while no strategy is guaranteed to maximize a player's outcome in every interaction, we can still evaluate strategies by considering their performance in many different environments, i.e., when paired with a variety of different strategies, and comparing their average performance in these environments. When making such comparisons in large-scale simulations, an interesting pattern emerges. In a wide variety of circumstances, the most successful strategy tends to be TIT-FOR-TAT (or some close variation of it), which cooperates in the first round and then mirrors the move made by the other player (Axelrod 1984, chap. 2).

The strategy has several features, making it successful. First, it is nice, in the sense that it is never the first to defect. Consequently, it will avoid unnecessary conflicts, and when paired with another nice strategy, it will fully utilize all gains from cooperation. Secondly, it is retaliatory, such that it always punishes the other party for defecting. Consequently, it cannot be perpetually exploited. Third, it is forgiving, meaning that it does not punish the other party too harshly. Thus, it is not dragged into vendettas with other non-forgiving strategies. Fourth, it is not too clever, as it is easy to interpret, understand, and predict for other players. Finally, it is also robust, in the sense that it tends to thrive in many ecological and evolutionary environments where unsuccessful strategies disappear over time, either by being eliminated or by adapting more successful strategies. Thus, a population of players following TIT-FOR-TAT would remain stable over time, since no new strategies would be able to successfully invade and exploit it. In many environments, the survival of the fittest is the survival of the friendliest<sup>63</sup> (Axelrod 1984, chaps. 2, 3, 6).

In addition to ongoing cooperation between two parties, we can also consider similar effects from there being many parallel games, where each player is involved in several different games simultaneously. Under these conditions, one can evaluate other players not only by one's personal history with them but also by observing how they behave in games with other players. If I notice that someone is nice and never the first to defect, this will incentivize me to cooperate with them to maintain my reputation as a nice player. However, if I know that someone is prone to defect, this will incentivize me to avoid them. Consequently, even if I know that I will only interact with some given player one time, I would still be incentivized to cooperate with them to signal a willingness to cooperate in other future interactions. Thus, one's ability to cooperate with others will strongly depend on one's reputation (Axelrod 1984, chap. 8).

These game-theoretic considerations have several important implications for libertarian anarchism. First, we can think of the libertarian non-aggression

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<sup>63</sup> According to the self-domestication thesis, modern *homo sapiens* developed due to a process of selection against aggression and in favor of pro-sociality. This facilitates social learning and cooperation, explaining the most distinctive traits and the enormous evolutionary success of the species (Hare and Woods 2020). As Kropotkin argued, mutual aid is a factor in evolution (Kropotkin 1902).

principle as a moral equivalent to the game theoretic TIT-FOR-TAT strategy. It is nice, in the sense that it will never be the first to engage in force. However, it is also retaliatory since it permits defensive force as a response to the aggression of others. Finally, it is not too clever. Since it relies on a very simple principle, it becomes predictable, thereby making it easier for others to anticipate the effects of interactions, deterring defection, fostering trust, and facilitating cooperation.

Secondly, this illustrates that it is possible to generate order within a system endogenously, from the self-enforcing incentives of players, without stipulating any exogenous third party enforcing order upon the players. In other words, it suggests that it is possible to achieve order without states.<sup>64</sup> While cooperation certainly can break down, the anarchist case is not that states are impossible, but rather that anarchy is possible and desirable. The fact that TIT-FOR-TAT is robust, making it very difficult for new strategies to invade a population following TIT-FOR-TAT, could be taken as some evidence that an anarchist society could also be stable over time. Thus, libertarian anarchists have some theoretical reason to be optimistic about the feasibility of stable endogenous cooperation.

Ultimately, the Hobbesian argument assumes that predation is likely to occur when people are approximately equal in power but unlikely to occur when one party is significantly stronger than the others. However, anarchists argue that the reverse is more likely to be true. When power is equally distributed, the cost of attacking others will be higher. This is partly because one could be harmed during the attack, but also because the aggressor makes themselves a target of retaliatory force, or a target of third parties who are threatened by one's aggressive behavior and thereby incentivized to act preemptively. Consequently, the equality of power in the state of nature acts as a deterrent against attacking one's neighbors. However, these deterring factors disappear as power is concentrated in one party. Due to their dominance, the stronger party is unlikely to be harmed during the attack or be targeted by retaliatory violence, enabling them to exploit the weaker parties with impunity. Additionally, since sovereigns within hierarchical systems can externalize the cost of conflicts to their subjects, they have much weaker disincentives deterring

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<sup>64</sup> One potential issue is strategic bullying, where both parties benefit from the interaction, but one can capture a disproportionate share of the gains from this cooperation. Such situations arise when one party has a reliable reputation for severely punishing defection, which it can use as a threat to occasionally defect itself. The bullied party will be incentivized to tolerate the bully's occasional defection, as long as the cost of these occasional defections does not exceed the potential gains from future cooperation. Thus, such bullying strategies can result in an exploitative, yet robust equilibrium (Axelrod 1984, chap. 8). In a way, we could understand the Hobbesian state as a bully. The social contract remains enforced because people prefer Leviathan to the state of nature. Yet, the benefits from the state are unevenly distributed in favor of the rulers. Thus, one could use this insight to argue that the social contract between states and citizens would also be enforced endogenously (Olson 1993). The point of the argument is thus not to say that statist social contracts are impossible, but rather that the very conditions which make them possible – endogenous enforcement – also make them unnecessary.

them from aggression. Thus, as a general rule, we can argue that equality of power breeds respect, while a concentration of power breeds abuse (Huemer 2013, 198–208).

While states are often justified as supposed defenders of rights, they have historically proved to be very capable of violating these rights they are supposed to uphold. When we reject state authority and evaluate states by the same moral standards as other agents, it becomes clear that states often act as criminals themselves. Due to their monopoly status, their capacity for abuse is far beyond that of any ordinary criminal. Of course, one might argue that there is a fundamental difference between the despotic regimes throughout history and contemporary, constitutional, democratic governments. However, while liberal democratic governments certainly seem preferable to totalitarianism, they still tend to be deeply problematic by libertarian standards. Even constitutional, democratic governments engage in systematic aggression toward their citizenry by imposing laws against victimless crimes, punishing and incarcerating innocent people without just cause. If we consider every person who is incarcerated for a non-aggressive crime as a victim of abduction and every person who is coercively taxed on their wages as a victim of theft, it is obvious that states are immense perpetrators of crime. Moreover, if we accept the radical libertarian analysis in Chapter I.1.3., even contemporary liberal democratic states tend to generate economic privileges, and systematic economic exploitation on a massive scale. Economic privileges such as intellectual property rights exist because the state enforces these privileges, benefiting a privileged elite at the expense of the exploited majority (Chartier 2011b, chap. 3, 2012a, chap. 3:VI; Sartwell 2008, chap. 3).

The claim that democratic states allow for the exploitation of the majority by a minority might sound implausible. After all, democracies are supposedly governed by the people, so why would the people permit such exploitation? However, to understand this, we should not view “the people” as a unitary actor, but rather see the outcome of democratic politics as a spontaneous outcome of an “invisible hand process,” under which millions of individual actors engage in the political process. How these individuals engage politically is primarily determined by the incentive structure they face, which, in turn, is largely determined by the institutional framework under which these decisions are made. Hence, we can contrast democracy and anarchy, or voting and exit options, as two different institutional frameworks for decision-making and two different mechanisms for counteracting exploitation and abuse.<sup>65</sup> Anar-

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<sup>65</sup> As discussed in footnote 23 above, the argument is not based on idealized assumptions of perfectly competitive markets in equilibrium, but rather on comparative institutional analysis under non-ideal conditions. Using the example below, the point is not that purchasing cars individually will bring about a theoretically optimal outcome, but rather that it would bring about a better outcome than voting for which car to buy.



chists argue that there are significant incentive, power, and knowledge problems<sup>66</sup> inherent in the political process. Hence, they tend to see voting as an inadequate substitute for actual exit options and competition, as a mechanism for restraining exploitation (cf. Coyne and Goodman 2021).

First, voting seems to cause significant incentive problems for each individual voter. Trying to cast an informed vote, or to lobby for political change, is extremely costly to the individual trying to affect political change. However, the benefits of doing so are dispersed over the entire population. Consequently, people are insufficiently incentivized to carefully research and choose the best alternatives. Since this problem pertains to every individual in the election, this results in a collective outcome that is highly irrational.<sup>67</sup> “Imagine buying cars the way we buy governments. Ten thousand people would get together and agree to vote, each for the car he preferred. Whichever car won, each of the ten thousand would have to buy it. It would not pay any of us to make any serious effort to find out which car was best; whatever I decide, my car is being picked for me by the other members of the group” (Friedman 2014, 127; cf. Caplan 2007).

Furthermore, markets tend to provide better information about the relevant alternatives. “You can compare 1968 Fords, Chryslers, and Volkswagens, but nobody will ever be able to compare the Nixon administration of 1968 with the Humphrey and Wallace administrations of the same year. It is as if we had only Fords from 1920 to 1928, Chryslers from 1928 to 1936, and then had to decide what firm would make a better car for the next four years” (Friedman 2014, 127). By suppressing competition, monopoly states make it impossible to directly compare different alternatives, thereby making it extremely difficult to make informed decisions.

Exit options alleviate these problems by enabling direct comparison between different alternatives, internalizing most of the cost of the choice to the individual, and making the choice of each person individually decisive. While my vote for one party over another cannot be expected to have any real consequences for me, my decision to contract with one association rather than

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<sup>66</sup> Since this thesis is largely framed in relation to exploitation and abuse, my discussion focuses on the power problem. However, there is also a significant libertarian and anarchist literature discussing knowledge problems inherent in the state. Essentially, by restraining competition, states undermine the knowledge generating function of prices, thereby also undermining their capacity for rational economic calculation (Coyne and Goodman 2021; Hayek 1945; Lavoie 1985; Long 2004c; von Mises 1990).

<sup>67</sup> If this merely led to ignorant voters abstaining from voting or voting randomly, the effects of the problem would be limited, since only the remaining informed votes would count. However, instead of abstaining from voting, these considerations tend to incentivize people into engaging in non-informed, expressive voting. Such expressive votes give a tangible benefit to each voter in the form of emotional satisfaction or social recognition for voting with their preferred in-group. Consequently, there is some emotional return from engaging in biased or tribal participation. Since there is some emotional return from engaging in uninformed voting but no effective cost to such participation, everyone is individually incentivized to be “rationally irrational,” leading to strongly irrational collective outcomes (Caplan 2007).

some other would have a substantial, individually decisive impact on me. Furthermore, if I vote for an inefficient, exploitative, and wasteful government, the cost of their acquiring power would be borne equally by everyone in society. However, if I choose an inefficient, exploitative, and wasteful association, the cost for doing so would be borne by me, but not anyone else. Thus, it would make provision of these goods increasingly private, rather than public. Evaluation of these associations would be made much easier since one could compare them with their actual results, and not only their promises. Hence, while it might still be costly to evaluate and compare the desirability of different associations, people would still be strongly incentivized to do so carefully (Friedman 2014, chap. 32).

One important feature of these collective action problems is that they do not affect everyone equally. Rather, these problems tend to be more severe for dispersed interests than they are for more concentrated interests. This enables concentrated and powerful interests to have a disproportionate influence on policy, even within democratic systems. Consider a tariff on sugar, which costs each consumer only a few cents for each purchase. However, these purchases aggregate into millions of dollars of profits for the domestic sugar producers. Since the cost to each consumer is so small, it would be irrational for them to spend their time and resources trying to lobby for change. However, since the gains to major sugar producers are substantial, they have a strong incentive to spend significant resources to try to lobby politicians to maintain these tariffs. In other words, they are encouraged to spend resources “rent-seeking,” trying to acquire a larger share of the cake, rather than increasing the size of the cake. Nevertheless, clearly, this is a form of plunder, as it uses the coercive arm of the state to redistribute resources from consumers to privileged producers. As similar dynamics occur in many domains, this aggregates into huge profits for concentrated special interest groups at the expense of dispersed consumers and taxpayers (Coyne and Goodman 2021, 254; Olson 1971). Hence,

A plutocratic ruling class need not operate via conscious machinations, of course (though such machinations are not necessarily to be ruled out, either). A malign invisible-hand process may come into play instead. Suppose that a variety of governmental policies are proposed or adopted, perhaps at random. Those that adversely affect entrenched and concentrated interests will get noticed and become the object of attack. By contrast, those that injure the average person will meet with less opposition, since average people are too busy to keep track of what the government is doing, too poor to hire lawyers and lobbyists, and too dispersed to have an effective voice. Thus, legislation which is disadvantageous to the rich will tend to be filtered out, while legislation which is disadvantageous to the poor will not. Over time, this skews state action more and more in the direction of advancing the interests of the powerful at the expense of those of the weak. (Long 1998, 327)

Thus, libertarian anarchists argue that political power magnifies economic power. However, since economic power also magnifies political power, this gives rise to a vicious cycle, where power hierarchies reproduce themselves and grow over time.<sup>68</sup> This problem is central since it indicates that limited states may be an unstable equilibrium, as the power of the state and elite tends to grow over time. Hence, anarchists see the minarchist vision of a limited state, existing solely to protect people from exploitation without itself engaging in exploitative behavior, as utopian and unfeasible (Rothbard 1998, 175–76).

Anarchists thus contend that exit options are an even better mechanism for counteracting exploitation and abuse than voting.<sup>69</sup> If my security association is acting abusively toward me in an open market for protection, I can easily change to some other provider. Moreover, if none of them are satisfactory, new options can enter the market. It is precisely because states are monopolistic that they can exploit their subjects. Just as radical libertarians see economic privileges as the root cause of exploitation, libertarian anarchists see the privilege inherent in monopoly government as the root cause of economic privileges. Consequently, exit options and competition act as a check for abuse. Under free competition, an association that wastes resources or exploits its clientele in favor of rent-seeking cronies would quickly lose its clients, creating competitive pressure against such practices. Thus, we can understand anarchism as a mechanism for counteracting exploitation (Friedman 2014, chap. 39; Huemer 2013, 230–33).

The state is supposedly justified as a way to overcome different collective action problems. However, the very same type of collective action problems seems to plague state systems. The very reason why the state was stipulated as necessary in the first place is also the reason why states are unlikely to succeed. If we were never able to overcome these collective problems, states would not be able to solve them for us. Conversely, if we are generally able to overcome these problems, states would be unnecessary (cf. Freiman 2017). As

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<sup>68</sup> Furthermore, even if some victims of exploitation were able to mobilize, they would face the choice of either trying to reduce the general level of exploitation or trying to acquire a larger share of the spoils for themselves and their closest interest group. Given that the group of individuals who are exploited is much broader than their closest interest group, their marginal return would be much greater if they could acquire a certain amount for their interest group rather than if they reduced the general level of exploitation. This would remain true even if they were net losers in the system of exploitation as a whole. Consequently, the forces fighting to acquire an increased share of the spoils – thereby perpetuating the system of exploitation – become much stronger than the forces fighting to abolish state exploitation.

<sup>69</sup> However, this is a false dichotomy. People are more likely to be heard if they also have exit options. It might be that both voting and exit options are necessary to counteract exploitation; for example, individuals might choose between several internally democratic defensive associations. However, such a system would still be competitive rather than monopolistic, hence qualifying as anarchic rather than statist (Long 2006b).

argued in III.3.2., if it turns out that both anarchy and states are feasible options, we have a moral imperative to prefer anarchy.<sup>70</sup>

To be clear, the argument is not that collective action problems would not arise under anarchy. These problems are endemic in large-scale social interactions; hence, they are likely to arise in all societies. Just as states give rise to different public choice problems, voluntary cooperation encounters different public goods problems.<sup>71</sup> Since both systems result in perverse incentives, we cannot merely stipulate that people would be able to overcome one type of problem but not the other, without violating the assumption of behavioral asymmetry. Anarchists need to provide some systematic reason for why their system would be better at overcoming these issues compared to states. There is at least one compelling reason to believe so.

Under a market system, entrepreneurs stand to reap financial rewards by figuring out ways to supply "public" goods while excluding free riders. Thus the system that creates the perverse incentives also creates the very incentives to overcome them. That's why every so-called "public" good has been supplied privately at one time or another in history. Governments, by contrast, must *by definition* forbid competition. Thus governments, unlike markets, have no way of solving their incentive problems. (Long 1994c, 11)

Public choice problems indeed pose a significant problem to the anarchist position, and I will return to discuss it in Chapter VII. However, anarchists argue that states, by making choices coercive and collective rather than consensual and individual, fail to alleviate collective action problems or exploitation; instead, they tend to magnify them. Hence, anarchy and competition should not be understood as a situation where power is unchecked, but rather as a mechanism for restraining power.

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<sup>70</sup>As emphasized by Michael Taylor, the ability to spontaneously solve cooperation problems is important for players who are "altruistic," in the sense of considering not only their own utility but also that of others. If players emphasize their eminence, or relative advantage compared to other players, it will significantly impair the possibilities for cooperation. However, if players are benevolent, attributing positive value to other players receiving higher payoffs, this facilitates cooperation (Michael Taylor 1987, chap. 5). Furthermore, Taylor emphasizes that these are not necessarily fixed characteristics but may differ between across contexts (Michael Taylor 1987, chap. 7). I discuss this type of issue in more detail in footnote 55 above. Hence, it seems probable that the viability of anarchism will differ depending on these variables. Nonetheless, for anarchism to qualify as feasible, it is only necessary for there to be at least one stable, feasible context that would be conducive to spontaneous cooperation.

<sup>71</sup>The most discussed example is national defense, i.e., the protection of a society from foreign invasion. Since it is difficult to exclude non-paying clients from this service, it becomes a public good (cf. Olson 1993). The libertarian anarchist literature discusses several different ways to defend an anarchic society, without relying on state armies (Huemer 2013, chap. XII; cf. Friedman 2014, chaps. 36, 56; Hummel and Lavoie 2007; Long 2007b, 1994a).

### III.3.5. Arguments from Natural Monopoly

Another interesting set of arguments against anarchy claims that violence is a natural monopoly. Thus, any libertarian anarchist system would have an inherent trend toward monopolization, making anarchism unstable in the long run. As “ought” implies “can,” minimal states are justified as the most libertarian non-ideal system one can hope for (Cowen 1992; Holcombe 2007; Nozick 1974).

We can understand these arguments in two different ways. The first claims that states could create justified monopolies of violence, thus explaining an immaculate formation of states. If we consider monopoly in the dynamic sense of the term, it would have to include the right to suppress competition. Robert Nozick has argued that a dominant security association would be permitted to suppress competitors as a precautionary measure to avoid risky legal procedures (Nozick 1974, chap. 5). However, few anarchists are convinced that such suppression would be justified. There seems to be no particular reason to believe that competitors would be less reliable than the dominant security agency. Consequently, even if concentration in the market for security could produce a justified static monopoly, it would not license a justified dynamic monopoly (Childs 2007b; Rothbard 2007).

A second version of the argument holds that while dominant organizations may not have the right to suppress competition, they would have the means and the motive to do so. If one particular defensive association becomes stronger than all of its competitors combined, it could suppress them, thereby imposing a dynamic monopoly. Such suppression would be aggressive. Nevertheless, if markets for security inevitably lead to such outcomes, it would indicate that anarchy is inherently unstable and unfeasible, indicating that the most libertarian feasible system would be a minimal state.<sup>72</sup>

However, libertarian anarchists contend that static monopolies on security are unlikely to arise spontaneously. While there are often economies of scale in many industries, these tend to be balanced by counteracting diseconomies of scale. For example, the same knowledge problems that make central planning inefficient within states also render firms increasingly inefficient as they grow, setting a limit on the optimal firm size (Carson 2008, 2011a; cf. Hayek 1945; Lavoie 1985; Long 2008b; von Mises 1990; Rothbard 1976, 75–76). Additionally, according to the radical libertarian analysis set out in Chapter I,

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<sup>72</sup> The premise that dominant associations will inevitably suppress competition seems somewhat dubious to me. While it might be accurate as a *prediction* of certain behavior, it seems strange to use it as a *justification* for states engaging in precisely this type of behavior. No external restraints are coercing the dominant association into suppressing its competitors. If it did not wish to suppress competition, it could just not do it. Hence, it seems strange for the dominant firm to use the fact that we would expect others in this situation to suppress competition as a justification for doing so. However, if we, for the sake of argument, accept that any dominant association would inevitably suppress their competition, the rise of a dominant association would be a sufficient condition for undermining the feasibility of anarchy.

the driving factor of economic centralization is not spontaneous market forces, but rather state intervention that grants privileges to favored firms at the expense of competitors. Without these artificial privileges, firms would be much smaller, flatter, and more numerous (Carson 2008; Childs 2011; Long 2008a, 2011a; Weiland 2011). However, in an anarchic society, there would be no state that could privilege favored firms at the expense of their competitors, making monopolization less likely. Furthermore, industries most prone to spontaneous concentration are those with significant fixed production costs and economies of scale. Since the production of security does not seem to require significant fixed costs for capital, it seems unlikely that it would be prone to monopolization (Huemer 2013, 253–57).

However, Robert Nozick has argued that markets for security would be particularly prone to spontaneous centralization and monopolization because the value of a protection agency's service is dependent on its relative size compared to other agencies. In conflicts between agencies, there are clear benefits from larger scale. Consequently, people would be incentivized to contract with the largest available agencies, benefitting larger firms at the expense of smaller firms, eventually enabling the largest firm to monopolize the industry (Nozick 1974, 15–17).

This argument assumes that people would hire protection agencies for the purpose of battling other protection agencies. Yet, the purpose of these agencies is not to battle with other agencies, but to protect against criminals. Given the costs associated with combating other agencies, even relatively larger firms would be strongly disincentivized from settling disputes with other agencies by violence or to protect clients engaging in criminal behavior from other agencies. Thus, as long as the cost of combat outweighs the cost of arbitration, which we can reasonably assume would hold as a general assumption, even relatively large agencies would be incentivized to solve conflicts via arbitration rather than combat (Huemer 2013, 254).

Nozick recognizes arbitration as a possibility but asserts that this would also lead to monopolization, as the arbitrator would effectively establish a “federal judicial system,” with the arbiter becoming a government with supreme powers over the protective agencies (Nozick 1974, 16–17). However, this argument seems to rely on some equivocation of the term “federal judicial system.” Both coercive central planning and voluntary competitive markets are “economic systems,” but only the former is objectionable to libertarians. Similarly, Nozick seems to use the term “judicial systems” to denote centralized, monopolistic organizations able to unilaterally impose decisions on the rest of society. However, arbitration could also be provided by a polycentric system of competing arbitrators, adjudicating bilateral agreements between different agencies, relying on voluntary or decentralized compliance to enforce decisions. While both would establish “judicial systems,” and enable protection agencies to peacefully settle their disputes, only the former poses a

problem for the anarchist position (Childs 2007b, 221; cf. Chartier 2012b; Rothbard 2007).

A similar argument claims that markets for security would be unstable not because of monopolization, but due to collusion. Cartels seek to increase profits within a branch as colluding firms agree to decrease total output, thereby raising the price of goods above the cost of production. In competitive markets, however, collusion and price fixing tend to be very difficult to maintain for two reasons. First, cartels are subject to internal pressure to defect, as each member could maximize profits by cheating. Since each firm would maximize profits by defecting while other firms cooperate, this creates a prisoner's dilemma among the colluding firms. Secondly, the profit opportunities created by the cartel would attract new entrants to the market, hence increasing output and reducing prices to their equilibrium level (Huemer 2013, 257–58).

However, Tyler Cowen has argued that markets for security would have particular problems regarding collusion. He posits that a system of competing legal codes would be unfeasible, as there would be no shared legal framework to resolve inter-agency conflicts. To avoid this situation, agencies would collude to form a network sharing a common legal framework, collectively sanctioning “outlaw” agencies and individuals. This network would acquire increasing market shares, collectively incentivizing it to also sanction outsiders and new entrants, leading to monopoly profits while deterring clients from non-network agencies. This legal network is different from other cartels because the appeal of an agency relies on its relationship to other agencies. This distinguishes it from e.g., groceries, where the relationship of one supermarket to others is irrelevant to consumers, and is more akin to credit cards, where a major perk of using a credit card company is that it is connected to networks like VISA or MasterCard. With increasing cartelization, the network would increasingly monopolize security provision, acquiring more state-like characteristics. Eventually, it could enforce unilateral taxation and extend its monopoly to other sectors (Cowen 1992, cf. 2007; Cowen and Sutter 2007).

The argument can essentially be expressed as a dilemma. If actors are unable to standardize, collude, and sanction outlaw competitors, they will not have any ability to solve inter-agency conflicts, leading to a Hobbesian anarchy. However, if they do have the ability to collude and sanction outlaw competitors, they will have the ability to collude and sanction good faith competitors as well, resulting in cartelization and monopolization. This raises an awkward problem for libertarian anarchists, as they often assume that people would be able to overcome collective action problems when socially desirable, but that colluding firms would be unable to overcome similar collective action problems. Unless we have some feature distinguishing these problems, we should assume behavioral symmetry between these agents and their prospects for solving collective action problems (Long 1995).

Bryan Caplan and Edward Stringham have suggested one such systematic difference, pointing to a distinction between collusion that is self-enforcing

and non-self-enforcing. For example, everyone has an incentive to sanction outlaw security providers not out of solidarity with its victims but out of self-preservation. Consequently, there is no need to centrally decide or enforce such a collusion. However, there is no self-enforcing incentive to sanction would-be-cooperators. Everyone in the cartel would be incentivized to break it, as non-cartel members would have a competitive advantage. Thus, while the sanctioning of renegade security agencies is self-enforcing, the sanctioning of trustworthy non-cartel agencies is a prisoner's dilemma. This type of network, which can overcome coordination problems (e.g., all payment cards using the same dimension) but not prisoner's dilemmas (e.g., MasterCard fixing prices), is empirically more common than genuine cartels, and the market for security agencies is likely to fall into this category (Caplan and Stringham 2003).

In other words, we can make a distinction between general and discriminating collusion. General cooperation entails cooperating with all other cooperators in a TIT-FOR-TAT fashion, while discriminatory collusion cooperates with some parties in the in-group while forgoing some potential cooperation with the discriminated outgroup. This, by design, creates an underserved potential clientele in this outgroup, creating a profit motive for cooperating with this group. This creates internal pressure on members to break the cartel and attract new entrants to the market who fill the niche of serving the discriminated group. Therefore, libertarian anarchists argue that competitive markets promote general pro-social cooperation while also counteracting discriminatory and anti-social collusion, without assuming behavioral asymmetry (Long 1995).

Thus, libertarian anarchists find neither Nozick's nor Cowen's arguments for natural monopoly convincing. However, these arguments are relevant to the thesis, as I will present a similar type of argument in Chapter V. Even if libertarian anarchists are correct that violence is not a natural monopoly, the argument presented in Chapter V does not focus on the violent aspect of states, but on their territorial aspects. I claim that there is an inherent potential for monopolization in landownership. This natural monopolization is independent of the coordination games discussed above but would still be able to naturally monopolize territory and, by proxy, coercion.



# Chapter IV – The Equivalence Thesis

## IV.1. Introduction

In the previous two chapters, I outlined the geoist case against landownership and the anarchist argument against states. However, these two theories are often thought of as answers to different questions. While the former concerns the distribution of property, the latter concerns the legitimacy of states. Furthermore, while we are familiar with the notion of property and states as they exist today, it is less clear how to understand property in a stateless society. Some have argued that property would be impossible in a stateless society, as property relations can only exist within the legal system of a state. However, this would make it impossible to achieve a geoist distribution of property in a stateless society.

In this chapter, I aim to provide a common framework for understanding states and property, thereby also providing another understanding of their relationship. Rather than being impossible in a stateless society, I will defend the Equivalence Thesis, asserting that there is a close analytical connection between the territorial rights of states and landownership. I propose that landownership, in the absence of states, would itself assume state-like characteristics.<sup>73</sup> In other words, I will argue that we could understand sovereign landlords as states in their own right. Conversely, we could view a state's claim to its territory as a form of landownership. By considering states as sovereign landowners, our normative and economic analysis of property rights can extend to territorial rights, and vice versa.

It is worth noting that, for the purpose of the broader arguments of the thesis, the relationship between landownership and territory does not need to be one of exact identity. What is important is that they are sufficiently analogous for us to extrapolate arguments from one domain to the other. I try to support this close connection by arguing that the key characteristics criticized by anarchists and geoists in one of these domains also occur within the other. Hence, to undermine the Equivalence Thesis as a premise in the broader arguments of the thesis, one would need to show not only that property and authority are not identical but also that they are sufficiently dissimilar for us to evaluate sovereign landlords differently from states.

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<sup>73</sup> I take the term *Equivalence Thesis* from (Angell 2019).

Interestingly, acceptance of the Equivalence Thesis seems to be especially common within the libertarian literature (Angell 2019; Friedman 2014, chap. 52; O'Mara 2001; Proudhon 1876, 213; Rothbard 1998, 172, 2006a, 36; Schmidtz 2010; Spafford 2021, 2023, chap. 4; Steiner 2011, 115–16; D. Sullivan 2001; Widerquist 2009). This might reflect that it is particularly congenial to the way libertarians understand the concepts of property and authority. Since I am conducting an internal critique of libertarianism, this would support the broader argument of the thesis. What is important for these arguments is that they reflect how libertarians understand these concepts, even if it differs from how others understand them.

It is important to note that this chapter will not focus on the normative question of when property rights or territorial rights are legitimate, but rather focus on the conceptual<sup>74</sup> issue of how they relate to each other. Thus, I will not use the word “right” in a moralized sense, but treat it as an institutional fact. Many unjust and illegitimate states exercise territorial rights, and many individuals hold property acquired through unjust and illegitimate ways. However, rather than saying that such illicit agents do not have rights, I would say that their rights are not morally legitimate. Illegitimate property owners and states still exercise some form of power, and it is the nature of this power, rather than its legitimacy, that I analyze in this chapter.

Consequently, the Equivalence Thesis is distinct from what the literature on territorial rights refers to as the “Lockean” or “property-based” theory, which posits that the territorial rights of states are normatively legitimate iff correctly derived from a more fundamental set of natural property rights (Locke 2003; Simmons 2016, chap. 5; Steiner 1996). While the Lockean theory is normative, the Equivalence Thesis is conceptual. Thus, normative arguments against the Lockean theory (Moore 2015, chap. 2; Nine 2008; Stilz 2009), do not necessarily undermine the Equivalence Thesis.

While the argument presented in this chapter is conceptual rather than normative, it does have interesting normative implications. First of all, it seems to corroborate the analysis in Chapter II.3., where I discuss the equalisandum of left-libertarianism as a form of liberty or authority. Since we can understand property as a form of authority, respecting everyone's equal share of resources would also signify respect for their equal domains of liberty or authority. Secondly, this analysis seems to have implications for the legitimacy of both property rights and territorial rights. Specifically, if territorial rights are essentially property rights, they should be legitimate under the same conditions and circumstances. If a property right is equivalent to a territorial right, such that they

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<sup>74</sup> The term “conceptual” might be misleading as my focus is not on analyzing our language use, but rather our way of interacting. Perhaps even more accurately, the analysis is *praxeological*, in the sense that I argue that property rights and territorial rights belong to the same category of human action (cf. von Mises 1998, chap. 2). Nonetheless, the focus of this chapter concerns what these rights are, rather than under what conditions they are normatively legitimate.

share all morally relevant descriptive features, it seems incoherent to say that one of them is legitimate while the other is not. In other words, if a property right and a territorial right have different normative properties, they should also differ in some morally relevant descriptive property.<sup>75</sup>

This chapter is divided into three sections, with this introduction being the first. In the second section, I elaborate on what I mean by the Equivalence Thesis. I then analyze the concepts of property and states, as discussed in the previous chapters, and argue that we can understand them as equivalent. In the third section, I consider several possible features distinguishing property rights and territorial rights, in the process also fleshing out how I understand these rights. These possible distinctions include: the different rights holders, the different objects of these rights, the difference between authority and jurisdiction, the different scope of these rights, and the unilateral versus unilateral nature of these rights.

## IV.2. Property and Authority

### IV.2.1. Specification of the Equivalence Thesis

In this section, I seek to clarify what I mean by the Equivalence Thesis, which does not entail that all instances of property are equivalent to all instances of state authority. Rather, it holds that property rights, *ceteris paribus*, are equivalent to territorial rights. Hence, the property right  $X$  is considered equivalent to territorial right  $Y$ , iff  $X$  has the same incidental features as  $Y$ . Thus, for any

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<sup>75</sup> This is not to say that the Equivalence Thesis automatically falsifies normative theories about property and territorial rights that distinguish between first and second-order property rights, as these can be expressed in terms compatible with the Equivalence Thesis. For example, the traditional Lockean theory implies that property rights are legitimate under conditions of legitimate appropriation. However, it also introduces a distinction between first and second-order property rights, as individuals delegate their first-order property rights to the state while retaining their second-order property rights privately. Thus, the territorial rights of the state are deemed legitimate iff they have been correctly and consensually delegated from the individuals who previously held these rights (Locke 2003; Simmons 2016, chap. 5; Steiner 1996). Similarly, one could interpret the Kantian view as holding that second-order property rights are only legitimate under the condition that they have been correctly recognized by an authority holding a first-order property right and that the rights of this first-order authority are legitimate iff they sufficiently conform to some independent standard of justice (Kant 1996; Stilz 2009, 2011; Ypi 2014). There are also several different collectivist accounts arguing that the second-order claim to the land belongs to the people residing on it jointly, with the state acting as an agent on behalf of its principal, the people. On the collectivist Lockean account, this arises from their collective labor in improving the area (Nine 2012). Nationalist accounts usually draw on this collectivist Lockean theory, seeing the ethnocultural nations as the relevant collective agent, acquiring a special symbolic relationship to the land they occupy (Meisels 2005; Miller 2012). According to the self-determination view, territorial rights belong to groups with the political capacity and aspiration for self-determination (Moore 2015, chap. 3). As with the Kantian view, this would render lower-order claims legitimate iff recognized as such by the higher-order claimants.

territorial right *Y*, characterized by a set of incidental features, we can imagine an equivalent property right *X* with exactly the same set of incidental features.

This analysis can also be expressed in terms of the different incidents of property and the concept of property as a bundle of rights. Honoré famously argued that property rights can be divided into 11 different incidents: 1) the right to possess, 2) the right to use, 3) the right to manage, 4) the right to income, 5) the right to the capital, 6) the right to security, 7) the incident of transmissibility, 8) the incident of absence of term, 9) the prohibition of harmful use, 10) liability to execution, and 11) residuary character. It is possible to hold some of the incidents of property without holding all of them, or for a property system to recognize some incidents without recognizing all of them (Honoré 1961). However, just as we can distinguish between these different incidents of property rights, we can make a similar distinction between different incidents of territorial rights. Similar to property owners, states tend to exercise rights of possession, use, management, income, etc. over their territory.

This bundled conception of rights is important for specifying the Equivalence Thesis. For example, one could imagine a property right consisting of the incidents ABC, which would be different from a territorial right consisting of the incidents ABD. However, this does not contradict the Equivalence Thesis. In the same way, a property right consisting of ABC would be different from another property right consisting of ABD. Furthermore, this property right consisting of ABD would be equivalent to the territorial right consisting of the same incidents ABD. Consequently, the Equivalence Thesis need not assume that all territorial rights contain the same incidents as all property rights. Instead, for any possible set of incidents constituting a certain property right, we can imagine an equivalent territorial right consisting of the same incidents, and vice versa. Thus, property rights are equivalent to territorial rights in the sense that a property right consisting of a certain set of incidents will be equivalent to a territorial right consisting of the same set of incidents (cf. Widerquist 2009).

Nonetheless, besides focusing on property and authority generally, the analysis concentrates on landownership and states more specifically. Consequently, it is important to distinguish between these terms. Landownership pertains to property rights over land. Hence, it is a proper subset of property rights. Similarly, we can consider territorial rights as authority over land. Thus, while property in general is equivalent to authority in general, landownership in particular is equivalent to territorial rights in particular.

As discussed in the previous chapter, states should be understood as monopolies of supreme authority. Recall Weber's famous definition of a state as:

[A] human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory. Note that 'territory' is one of the characteristics of the state. Specifically, at the present time, the right to

use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the 'right' to use violence. (Weber 1946, 4 italics in original)

Below (IV.3.2.), I argue that we could theoretically imagine institutions that serve as monopolies of supreme authority without any claims to land or territory, thus refuting Weber's claim that territory is necessary for the property of being a state. Nevertheless, by far, the most common form of states remains territorial states. This territorial feature of states is important because it is precisely by being territorial that states acquire their monopoly status.

Since the supply of land is fixed, there is no free entry into its production, enabling landlords to extract monopoly rents. Notably, state authority is monopolistic in the same sense as landownership is. Because the supply of territory is fixed there is no free entry into the services provided by states, making them monopolistic. The total supply of land equates to the total supply of territory. Thus, we can understand states not only as property owners but as landlords; taxes as a form of rent; laws as a form of lease conditions; and the state monopoly as an instance of land monopoly.

The second feature that is distinctive of state authority is that it is supreme. This differentiates the territorial rights claimed by most states from the property rights claimed by most landlords. However, this is still compatible with the Equivalence Thesis. It entails that the supreme territorial rights made by states are equivalent to supreme property rights. Conversely, we can understand the claims made by non-state landlords as a form of subordinated territorial rights. Thus, this notion is perfectly compatible with the view that for any territorial right *Y*, characterized by a set of incidental features, such as being supreme and territorial, we can imagine an equivalent property right *X* with the same set of incidental features.

Consequently, we could illustrate the Equivalence Thesis with the following thought experiment. Imagine that the Swedish government became convinced of the validity of libertarian anarchist arguments and decides to abolish itself in favor of a private property regime. However, before doing so, the government nationalizes all land in Sweden and then privatizes it to the private corporation "Sweden Inc." This corporation has a charter identical to the Swedish constitution, makes rules for its members identical to Swedish law, has a membership basis identical to the former Swedish citizenry, and has an internal organization identical to the Swedish government. Thus, keeping all other factors constant, the only difference between "Sweden Inc." and the now-abolished Swedish state would be that the former would claim Sweden as territorial rights of a state, while the latter controls it as the private property of a corporation within a nominally stateless condition. According to the Equivalence Thesis, there would be no significant difference between the pre-reform Swedish state, and the post-reform Sweden Inc., as Sweden Inc. would itself become a new state (cf. Rothbard 2006a, 36).

Regardless of whether Sweden Inc. claims state authority over the territory or property rights over it, the main aspect remains that it claims the right to regulate its residents' actions within the territory. Thus, it would be unreasonable for anarchists to accept Sweden Inc.'s rule on the condition that it was labeled as property rather than territorial rights. Similarly, it would be unreasonable for geoists, *qua* geoists, to accept Sweden Inc.'s rule on the condition that it was labeled a territorial right and not landownership.

#### IV.2.2. Analysis of Property as Authority

The example of Sweden Inc. provide an intuitive case for the Equivalence Thesis, which and can be further elaborated through a closer analysis of the terms involved.

As discussed in Chapter II.3.1., we can understand property as vested, extensional rights regarding some object. Vested rights consist both of a permission and a claim right. The permission entails that the owner is not under any obligation to any other party to refrain from using the resource, while the claim right entails that other parties are under an obligation to the owner not to use the resource without their consent. Extensional rights can be contrasted with intentional rights. While intentional rights are rights to perform certain actions, this could lead to the problem that different people's actions would require the same scarce resource, thereby making them mutually unperformable. Thus, to establish a mutually exclusive (and possibly exhaustive) set of rights, extensional rights are the right to a certain resource in whatever manner one chooses. Consequently, property rights create a domain of resources that the owner may use as they please, and which others may not interfere with without the owner's consent (Steiner 1994, chap. 3C).

Notice that the vested feature of property rights entails that people may not interfere with property *without the owner's consent*. This last proviso enables the owner to waive their right to exclude others from using the property, thereby permitting others to use the resource. Furthermore, this enables the owner to partially waive, or condition, the use of the resource. For example, the owner may say that use is permitted only on the condition of payment, or that anyone using the resource must comply with some special set of rules. To use an example, consider my property right over my house, which is a vested right, as I have a claim right over other people entering or using the house without my permission. However, I may waive this exclusionary right by inviting guests. I may also condition this permission on certain payments; for example, when I rent my house to a tenant, or to condition permission to use the house on certain rules, such that one must remove one's shoes when entering the house, or that alcohol consumption is not permitted within its premises. Property rights are not merely rights to use a resource, but more fundamentally the right to decide how a resource is used.

Similarly, we can understand territorial rights as the area within which states hold political authority. To reiterate from Chapter III.2.1, political authority consists of two components:

- (i) *Political legitimacy*: the right, on the part of a government, to make certain sorts of laws and enforce them by coercion against the members of its society – in short, the right to rule.
- (ii) *Political obligation*: the obligation on the part of citizens to obey their government, even in circumstances in which one would not be obligated to obey similar commands issued by a nongovernmental agent. (Huemer 2013, 5)

This authority has five central features. It is *general*, meaning that state commands pertain to the vast majority (if not everyone) within its territory. It is *particular*, signifying that the state's commands are binding only for residents within the territory, not for foreign populations. It is *content-independent*, implying that the obligation to comply with state commands does not depend on the particular content of these demands, but rather on the fact that it is the state issuing them. It is *comprehensive*, allowing states to regulate a broad (if not absolute) scope of activities, mandating or forbidding a wide range of behaviors. Finally, state authority is *supreme*, indicating that it is the highest human authority within the domain. Thus, within this domain, no other party may command the state, and no other party has the same authority as the state does (Huemer 2013, 12–13).

Following these broad outlines of these rights, I believe that it becomes clear that there is a close conceptual connection between property rights and authority. First of all, it seems apparent that we can understand the territorial rights of states as a form of property rights. Territorial rights are vested, in the sense that they not only permit states to use the territory as they please, but also to have a claim against other agents engaging with the territory in ways that it does not condone. Territorial rights are also extensional, such that they pertain to a certain area, rather than some intentionally defined class of actions. The extensional nature of these claims could also be connected to the particularity, comprehensiveness, and content-independence of state authority. Authority pertains particularly to behavior within the territory, but not outside of it. Thus, it pertains to a wide range of behaviors within this area, independent of the intentionally defined content of this behavior.

Furthermore, territorial rights can be understood as landownership specifically. Remember that in economic terms, land includes all naturally occurring resources, including physical space itself. Rents are economic costs and benefits derived from land. A landlord is an agent controlling land, being able to extract rent from it (Gaffney 1994a; George 1898b, 37). By this definition, territorial states emerge as paradigmatic cases of landlords. The territorial rights the state claims over some area and the resources upon it enable them

to extract taxes and other forms of rental income, independent of any production on their part. Hence, taxes are a paradigmatic case of an effortless rental income. Similarly, states may use their territorial authority to confer different forms of economic privileges upon favored companies. Since these privileges are themselves a function of the state's territorial authority, they can be understood as a form of land rent. Hence, businesses seeking monopoly profits from government regulation are "rent-seekers" in a very literal sense.<sup>76</sup>

Conversely, we can understand property rights as a form of political authority. The ability to condition access to a certain resource, particularly a certain place, should be viewed as a form of political authority. It gives the owner political legitimacy to establish coercively enforceable rules governing the use and access to these resources. Similarly, it imposes political obligations on those who use the resource to comply with the conditions of the property owner, even in circumstances in which they would not be obliged to obey similar rules established by others. Property rights thus generate a form of political authority.

Furthermore, it appears that property rights also exhibit several key features of authority. Property rights are general, such that they apply to the vast majority (if not all) of people residing on the property. They are particular, meaning that they apply only to people who are present on the property and not to others. They provide claims that are content-independent, signifying that the obligation to comply with the conditions of a property owner does not depend on the content of these demands, but rather on who is making them. Finally, property rights are comprehensive, allowing the property owner to establish conditions concerning a broad (if not absolute) scope of activities and behaviors<sup>77</sup> (Spafford 2021).

However, it is not a necessary feature of property rights that they are supreme. There is clearly something distinguishing the claims made by ordinary landowners from the claims made by ordinary states. Consider the fact that

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<sup>76</sup> While most landlords levy fixed rental fees, it is conceptually possible that they would extract their rents as a fraction of their tenant's income or labor, as a fee on all sales made within the territory, or by demanding that all their tenants frequent certain privileged businesses, etc. Hence, we can interpret the taxes states levy on a fraction of all wages or the monopoly profits they generate for privileged firms as forms of rental extraction.

<sup>77</sup> One complicating feature of the argument, arising from the distinction between authority and justification discussed above (3.3.1.), is that it seems possible to be a justified state without also holding authority. While these non-authoritative states do not have content-independent rights to impose new obligations, they may still have a right to enforce content-dependent duties within a territory. This might introduce some issues because if property is equivalent to authority, but authority is not necessary for being a state, transitivity implies that property is not necessary for being a state. However, we can avoid this issue by making a similar distinction within the category of property between "legitimate property," which is equivalent to full political authority, and weaker "distributive claims," which are equivalent to the claims of justified-but-not-authoritative states. Hence, we can account for this while preserving the Equivalence Thesis. Social anarchist Jesse Spafford has argued that philosophical anarchists ought to reject "legitimate property" rights in external resources, and instead see our rights to external resources as mere "distributive claims" (Spafford 2023, chap. 1.6.).



property rights tend to be exclusive, such that my ownership of a resource precludes your owning the same resource, in the same respect. However, all territory tends to be held both as property owned by some party and as a territorial right claimed by some state. If property rights and territorial rights are equivalent, this disparity must be addressed. Furthermore, this dual claim to the area introduces a potential conflict between the interests of the property owner and the interests of the state. In such conflicts, the interests of the state hold priority. While the state can impose laws on the territory against the will of the property owner, the property owner cannot revoke laws from the territory against the will of the state. In other words, the territorial rights of states are supreme.<sup>78</sup>

In other words, we can understand this disparity as introducing a hierarchy of rights, making the rights of the property owner subordinated to the superior rights of the state. Developing this hierarchy, we can imagine similar levels below the rights of property owners. For example, a tenant or a lessee seems to possess many rights akin to property, including being able to use and exclude others from the resource. However, their rights are subordinate to those of the property owner from whom they are leasing the resource. Thus, we can make a distinction between superior first order and subordinate second order rights of property. At the apex of such a hierarchy, we have a right that is not subordinate to the superior rights of others, making it supreme. Thereby, it would satisfy the last condition of state authority.

However, if we conceive of the difference between territorial rights and property rights as one of subordination and supremacy, this would carry important implications for landownership in stateless settings. Specifically, in a stateless setting, where there is no sovereign state restricting the claims of the property owner, these landlords would themselves qualify as states. Since there is no higher authority above the level of a landlord in a nominally stateless setting, landowners would find their property rights over the land to be sovereign. In other words, these sovereign landowners would find themselves having the very qualities associated with territorial rights, thereby becoming states in their own right. As Hillel Steiner put it, “[I]n the absence of a state, the various kinds of conduct that others owe, as a matter of correlative duty, to the just owner of a geographical site, seem entirely to correspond to the conduct which [...] states claim powers to regulate, as a matter of their territorial rights” (Steiner 2011, 115–16).

This analysis illuminates the case of Sweden Inc. Regardless of whether this institution asserts its rights as a supreme property owner over the land or claims the land as a form of territorial right as a state, it would still assert the

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<sup>78</sup> This type of conflict can also be demonstrated with institutions like eminent domain, enabling the state to expropriate the property within its territory against the will of its original owner. Even if the power of eminent domain is rarely exercised, it is always possible, providing the state with a latent claim to all the property within its territory.

same set of rights. It could still claim the legitimate right to establish and enforce rules over people residing in the area and impose obligations on residents to comply with these rules. In either case, the authority it asserts would be general, particular, content independent, comprehensive, and, since there is no superior state ruling the area, supreme. Therefore, regardless of whether it identifies itself as a state, asserting territorial rights, or a supreme landlord, claiming property rights, it would have the same set of authority over the area and its residents.

### IV.3. Possible differences

This far into this chapter, I have defined property rights and territorial rights and argued that we can understand states as sovereign landowners. In this section, I consider, and reject, five different potential counter-arguments to this position, namely: a) a difference in the possible holders of these rights, b) a difference in the possible objects of these rights c) a difference between authority, jurisdiction, and meta-jurisdictional rights, d) a difference in the depth of these rights, and e) a difference between the unilateral and omnilateral nature of these rights.

The general argumentative structure of these sections is that I examine different features that supposedly would be characteristic of all state authority, but not of property (or vice versa). However, I contend that we can conceive of property rights that also share these features, as well as instances of authority that lack them. Consequently, it is still possible for property rights with these features to be equivalent to territorial rights that share them, and for property rights without these features to be equivalent to territorial rights that lack them.

#### IV.3.1. Collective versus Individual

One possible objection to the Equivalence Thesis could be to argue that property rights and territorial rights differ concerning which entities can hold these different rights. In particular, one might argue that while property rights are often held individually and privately, territorial rights can only be held collectively by the entire citizenry of a nation. We can interpret this objection either as making a normative claim, asserting that territorial rights and property rights are legitimate under different conditions, or as a conceptual claim, suggesting that property rights and territorial rights differ in this essential feature, and consequently cannot be equivalent. In the introduction, I mentioned some of the normative implications of the Equivalence Thesis. If the two phenomena differ in their normative qualities, there must also be some non-normative quality in which they differ. Consequently, I will focus on the conceptual claim. I posit that this conceptual claim is false and that the issue of who may

hold these rights is orthogonal to the conceptual issue of what these rights entail.

First, one can easily find counter-examples against the claim that property rights are always held individually. There seems to be an abundance of examples of collectively held property rights, such as joint ownership within a family, corporation, cooperative, or commune. However, it does seem that all the territorial rights of contemporary states are, in some sense, held collectively. In particular, the organizational form of the modern state is based on the corporation, existing as a non-natural legal person with its constitution as a charter, its government as a board, and its citizenry as members (Ciepley 2013). Thus, the type of sovereign landlord closest to our modern form of state would probably be a corporation, stipulating different rights and obligations for members while restricting access to its land to non-members.

One could argue that this undermines the Equivalence Thesis, as it is corporations rather than landlords that are the best analogy to states, and corporate rules rather than lease conditions, which are the best analogy to state law. However, I believe that this argument is mistaken. Notice that such corporations, to also count as states, must hold a monopoly of violence. However, non-territorial corporations, while being able to make rules for their members, would not have any such monopoly. Members of entirely non-territorial corporations would be able to transfer from one corporation to another or start new ones, making the market for corporations non-monopolistic. Hence, to have such monopolistic claims, it is necessary that one has a right to exclude competitors. Thus, having some way of monopolizing its authority, such as acquiring a sovereign property right over some territory, is a necessary condition for being a state.

I also do not think that the corporate organizational form is a necessary condition for a sovereign landlord to be a state, as we can consider non-corporate and non-collective forms of states. While it is less common today, we can imagine cases where territorial rights are held by individual monarchs. While most dictators have controlled the territory of their country in the name of the corporate state as a whole, this has not always been the case. In medieval Europe, kings and feudal lords ruled not as representatives of some corporate entities, but rather in virtue of their own personal claim to the territory. When the crown passed from one king to the next, the legitimacy of this institution was not determined by blood *per se*, but rather by personal inheritance of these fiefs via *primogeniture*.<sup>79</sup>

Thus, the authority of these feudal lords did not stem from them controlling a corporation owning land, but rather from them personally owning the land. This type of sovereign landlord would be organizationally different from our contemporary modern states. However, as they would still have a monopoly

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<sup>79</sup> This history also leaves an interesting legacy in our language, as our term “real estate” is Middle English for “royal state” (D. Sullivan 2001).

over the use of violence within the area, they would nevertheless qualify as states. Thus, being a sovereign landlord is a sufficient condition for being a state, while having a corporate organizational form is neither necessary nor sufficient for being a state.

### IV.3.2. Objects versus Persons

One could also argue that the claims of states and property owners differ, as they assert control over different types of things. While the former claims control over people and their actions, the latter claims control over things or resources. Within their territories, states are primarily concerned with peoples' actions toward each other, while property owners are more concerned with peoples' actions with regard to objects.<sup>80</sup> However, upon closer inspection, this seems misguided. If someone steals my apples, my grievance is against the thief, not the apples themselves. Property is not merely a relationship between an agent and an object; rather, it is a relationship between agents with respect to some object (Steiner 1994, chap. 3C). The same could be said about territorial rights, as they regulate social relationships between agents with respect to some object, namely territory. If these people acted in a way that was completely independent of the territory, say in international waters, the state would no longer have authority.

Nevertheless, some states do exercise considerable influence over their citizens when they are abroad. For instance, US citizens are obliged to pay income taxes, even when residing overseas, and Norwegians are legally prohibited from soliciting prostitutes, even when they are not in Norway. States have citizens, while landlords only have residents. One might interpret this as counter-examples indicating that states have control over people rather than its territory, making it importantly different from property. However, I believe that it is possible to account for this difference in two ways, making it compatible with the Equivalence Thesis.

First, one could argue that the influence exerted by these states over foreign citizens is indirectly derived from their territorial control. Presumably, these citizens wish to return to their native country, eventually. Thus, they have a desire to access the state's territory in the future, providing the state controlling this territory with leverage. It is by threatening to deny such access that the state is able to influence its citizens abroad. If we interpret the case in this way, it seems we could construct analogous cases with property owners. For example, we can imagine a landlord who leases homes under intricate terms, demanding residents to be teetotalers, even when outside of the home. While

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<sup>80</sup> David Miller uses this type of argument to distinguish a state's right to jurisdiction from its right to natural resources, while denying that either aspect of territorial rights should be understood as property rights (Miller 2012, 254). However, this argument seems faulty for the same reason, namely that they erroneously ascribe the correlative duties of different rights to objects, rather than persons (Angell 2019, 10–11).

the landlord's authority does not concern the resident's direct actions within the home, the landlord's authority over the resident is still derivative from the ability to condition access and use of the property. Consequently, the state's influence over overseas citizens does not seem to distinguish its powers from that of a property owner.

Secondly, one could argue that these features of states, enabling them to exert authority over individuals outside of their territory, arise from the corporate form of these states, as discussed in the previous section. The state is able to influence citizens abroad only in the same sense that other corporations may influence their members, even when they are abroad. A corporate entity, such as a university, may have rules and restrictions that not only pertain to people's conduct within their premises. The power to impose these rules does not arise from the property rights of the university, but rather from its corporate organizational form. Similarly, states may exercise power over their citizens not only in their capacity as residents of the state's territory, but also in their capacity as members, or citizens of the state corporation. However, as seen above, this corporate nature of contemporary states is neither a necessary nor a sufficient condition for being a state. What makes some corporations states is that they hold supreme property rights over some given piece of territory. Consequently, these cases do not challenge the Equivalence Thesis.

However, there is also a more sinister way in which we could interpret states as having control not only over territory but also over people themselves. If we define states as monopolies of violence and markets as monopolistic when there is no free entry, one can ask if it would be possible to create non-territorial, yet monopolistic, states. It seems to me that we could imagine such a monopoly claiming property rights, not over territory, but rather over its subjects themselves. Imagine, for example, a nomadic tribe under the authority of some chieftain. Members of the tribe cannot secede from its rule or start a new tribe, making it monopolistic in the dynamic sense of the term. Yet, the authority claimed by the tribe is not restricted or particular to any geographical area, but to the individuals constituting the tribe.

Such non-territorial states seem perfectly conceivable. While they would not assert any claims to territory or landownership, they would still lay claim to property rights, namely over their subjects. To put it more bluntly, while these states would not be analogous to landlords, they would be analogous to slave owners. Similar to our chieftain claiming monopolistic authority over their subjects, independently of any territory, we can imagine a slave owner claiming monopolistic property over their slaves, independent of any specific territory (cf. Nozick 1974, 169).

Consequently, the Equivalence Thesis does not entail that all states are necessarily landowners. Instead, it suggests that state authority is equivalent to possessing supreme property rights. Specifically, state authority over people is equivalent to supreme property rights over these individuals, and state territorial rights are equivalent to supreme landownership. That being said, this

dissertation focuses on the phenomenon of territorial states and landownership within geoist and anarchist political theory. This focus is not because this is the only conceivable type of state, but because it is the most common and most debated type of state. Slavery is obviously inconsistent with anarchism, geoism, and common moral sentiment. The anarchist rejection of monopoly states trivially extends to these non-territorial states, while geoism combines equal access to external resources with a full right all individuals to their own person, making it clearly and trivially incompatible with the ownership of other people. Furthermore, few defenders of state authority base their case on this type of monopolistic jurisdictional right over other individuals. Consequently, it is much more controversial, and interesting, to analyze the legitimacy of territorial states.

### IV.3.3. Jurisdiction and Meta-Jurisdiction

A third challenge against the Equivalence Thesis would be to point to the fact that, unlike property owners, most states exercise jurisdiction within their territory. While both states and property owners can establish rules regarding activities within their respective territories, only states tend to arbitrate conflicts occurring within their territories. This provides a strong contrast with property rights, as we rarely assume that owners of land should resolve disputes between people residing in their territory or occurring within its borders. Drawing on this distinction, one could argue that property owners are not equivalent to states because they lack this important incident of arbitration. Thus, one could argue that a sovereign landlord would still not be a state, since even if this landlord held supreme authority, it would not hold supreme jurisdiction.

One way to understand this objection in terms of the Equivalence Thesis theory is that there is a certain incident of property, namely the incident of adjudicating private disputes, that is typically held by most states but not by most property owners. However, if we understand this as another incident of property, it seems that it does not undermine the Equivalence Thesis. The thesis merely holds that property rights with this incident will be equivalent to territorial rights with this incident, while property rights without this incident will be equivalent to territorial rights without the incident.

Consequently, I believe that this difference can be accounted for in a way that is compatible with the Equivalence Thesis. Consider the fact that many states also permit private arbitration between parties within their territory. Moreover, aside from state law, many communities resolve conflicts through contractual or customary law that exists independently of state legislation (Crowe 2021). For example, under the Ottoman millet system, different confessional communities were granted significant jurisdictional autonomy in arbitrating internal disputes. However, despite this, we still seem to identify the Ottoman government as a state. Furthermore, such private arbitration does not

undermine the monopoly of force held by the state. First, private arbitration cannot overrule state laws, enacted and enforced by the state itself. Secondly, because such arbitration occurs with the tacit permission of the state. Having a sovereign claim over its territory, the state could forbid such private arbitration, thereby enforcing its monopoly. In Weber's phrase, "the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it" (Weber 1946, 4).

However, both of these conditions would also be satisfied by sovereign landlords. Even if a sovereign landlord allowed for private arbitration within the territory, it would still impose its own set of lease conditions, being analogous to state law. For every state law enacted by a government, we can imagine an identical lease condition issued by the sovereign landlord. Moreover, even if private arbitration were allowed within the territory, it would presumably not be able to overrule the landlord and absolve tenants from their rents or lease conditions.<sup>81</sup> Secondly, the landlord could similarly forbid private arbitration within the territory, by including lease conditions obliging all residents to accept the landlord as the sole source of conflict resolution within the area. Thus, the authority of the supreme landlord within the area also generates a tacit monopoly to jurisdiction within the area.

A related argument against the position that territorial rights can be understood as property points to the fact that property owners lack "meta-jurisdictional authority" over state jurisdiction. In other words, property owners cannot alter or transfer jurisdictional rights. For example, landlords, as ordinarily conceived, cannot unilaterally secede with their territory from the state they are subject to. Similarly, purchasing real estate does not provide one with territorial rights. If Mexico were to purchase some real estate in America, the land would remain under US jurisdiction, with Mexico's claim to the land being similar to that of an ordinary property owner rather than that of a state (Brilmayer 1989, 15–16; A. E. Buchanan 2003, 233–34; Nine 2008, 958, 2012, 73–76). However, these observations are perfectly compatible with the notion of territorial rights as higher-order property rights. This is no more mysterious than the fact that tenants cannot unilaterally secede from land owned by their landlord. Thus, it seems to follow from this account that Mexico can purchase a lower-order claim to a piece of land while the US retains its higher-order claim to the same area.

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<sup>81</sup> Of course, these rules may become completely unenforceable. However, instead of presenting a counter-example of a landlord incapable of imposing lease conditions or rents within the property, this scenario would effectively dissolve the landlord's property right. Similarly, state law may become completely unenforceable, but instead of depicting a state without authority over the area, this would effectively constitute a revolution dissolving the state. As discussed in section IV.3.5., authority and property are rule systems that only exist by virtue of being practiced.

Similarly, while we often think of property as commodified and territorial rights as inalienable, this should not be taken as an essential distinction between the two. While the sale of higher-order claims to territory is unusual, it is not impossible, as illustrated by the Louisiana Purchase of 1803, or the Alaska Purchase of 1867. Indeed, as late as 2019, US President Donald Trump offered to purchase Greenland from Denmark. Conversely, while unusual today, there can also be cases of non-transferable property rights, such as a *fid-eicommissum*, where the beneficiary of a bequest is obliged to convey the estate to another party, such as their firstborn child. Consequently, while territorial rights surely tend to be less commodified than property rights, this does not create a conceptual distinction between the two. We can conceive of territorial rights with the incident of transferability and property rights without this incident.

Thus, contemporary landowners differ significantly from feudal lords or currently existing states, as they rarely arbitrate disputes between residents. Nonetheless, this does not undermine the Equivalence Thesis, as sovereign landlords, much like states, would be able to condition the terms for conflict resolution within their territory.

#### IV.3.4. Absolute versus Limited

Another possible counter-argument is that the analogy between territorial rights and property relies on a simplistic understanding of property rights as absolute. For example, we can consider the right to roam, common in the Nordic countries, which allows individuals to access and use privately owned land for exercise and recreation. This right on the part of the roamer thus restricts the landlord's ability to restrict or condition access to the land. Thus, we can imagine the strength of property rights on a scale from absolute rule to more limited forms of authority. One could argue that this poses a problem for the Equivalence Thesis if we assume that territorial rights are generally absolute, while property rights are generally subject to limitations in some way. Hence, the argument would be premised on an unrealistic assumption of absolute property rights. However, I believe that this argument is mistaken on two accounts. First, the notion of property rights developed above is not necessarily absolute. Secondly, the analogy to authority does not presume absolute property rights.

The notion of property discussed above conceptualizes property rights as vested rights concerning the use of some extensionally defined object. The function of these property rights is to coordinate behavior around the use of the object in situations where there is disagreement concerning its use. However, following this analysis, the smallest unit of the property right is not necessarily the object itself, but rather a particular conflict over its use. Thus, having the right to determine a conflict regarding the use of the object does not entail a right to determine all conflicts concerning it. For example, one



might have the right to determine who is allowed to, say, build a permanent settlement in an area, without also having the right to determine who roams the same area. Therefore, this account of property is perfectly compatible with the notion that different incidents of property in an object may be distributed among different rights holders.

Hence, what makes someone a landlord is not that they can condition all uses of a resource, but that they can condition some of its uses. While a landlord may not be able to exclude others from roaming the land, they still have the power to condition other types of use, such as permanently settling it on it or cultivating it. However, while one can be a landlord without having absolute rights to control the area, one cannot be a landlord without having any rights to control the area. If a property owner lacked the ability to exclude others from using the resource in any way, their rights to the resource would no longer be vested, and thus would not qualify as property rights at all.

Secondly, even if state authority tends to be more comprehensive than the claims of property owners, this need not undermine the analogy between property and state authority. There are two ways to respond to this argument. First, even if we think of state authority as absolute, and therefore dissimilar to most property rights, we could interpret the limitations of property rights as being a result of state regulations. However, if the state were removed, these restrictions on property rights would also disappear, making the rights of the newly supreme landlords absolute, and as such, equivalent to the territorial rights of states. Accordingly, even if we were to concede that currently existing landlords have limited powers within their territory, it does not follow that sovereign landlords would be similarly restricted.

Furthermore, it does not seem like a necessary feature of state authority that it must be absolute. As discussed above, state authority is described as general and comprehensive, in the sense that it pertains to the vast majority of people, and a wide range of activities, within its territory. However, these features are explicitly stated not to be necessarily absolute (cf. Huemer 2013, 12–13). State authority does not automatically extend to every individual within its territory; for example, certain residents may have diplomatic immunity against state law. Moreover, it does not necessarily regulate all activities. We can imagine a state without influence over religious practices occurring within its territory. Any laws trying to regulate such religious practices would be seen as tyrannical and be actively resisted, thereby becoming unenforceable. Thus, the state would lack *de facto* ability to regulate these activities, thereby making its authority less than absolute.

If state authority can indeed be less than absolute, then the observation that property rights are often less than absolute fails to make an essential distinction between the two. Just as state authority tends to be general and comprehensive, yet not absolute, so do property rights. Thus, the difference between restricted and absolute rights is not unique to property rights; rather, it applies to both property and state authority. Absolute supreme property rights appear

to be equivalent to absolute states, while limited supreme property rights would be equivalent to limited states. However, this does not pose any problem for the Equivalence Thesis, which merely holds that property rights are equivalent to territorial rights, *ceteris paribus*.

#### IV.3.5. Omnilateral versus Unilateral

In the introduction to this chapter, I mentioned the common view that property would be impossible in a stateless society, as property titles are typically defined and established via state law. In this section, I explore two versions of this argument commonly found in the Kantian literature on property and authority. According to these arguments, property cannot exist independently of state law, as this would cause problems of *unilateral interpretation* and *unilateral lack of assurance*. For property to fulfill the function of coordinating our behavior, it must necessarily be social and interpersonal. If you regard *X* as your property, while I regard it as mine, there will still be conflicts concerning its use. To solve such conflicts, it is not sufficient that everyone has some notion of whose property it is; rather, we must all have the same notion of whose property it is. Furthermore, I will only respect your property rights if I have some assurance that you will also respect mine. However, if we are to have a uniform ledger of property rights, the argument goes, we must have some authority that can impose this one ledger over the others. In other words, it requires a uniform set of legal rules. To resolve these two issues, you need a superior party that can enforce one omnilateral interpretation, i.e., a state.<sup>82</sup> As a result, property rights cannot be equivalent to state authority, as state authority is a necessary precondition for property (Kant 1996, 6: 263; Stilz 2009, 199, 2011, 580–81).

I will address both these challenges, starting with the problem of unilateral interpretation. I believe that this argument is fully correct in its first assumption that a distribution of property, in order to fulfill its function of coordinating our behavior, must be relatively uniform. However, I disagree with the second premise that this can only be achieved via state law. There seem to be other cases where uniformity is equally necessary but arises spontaneously without state law. One example is language. If everyone had their own private language, communication would be impossible. However, it does not seem to

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<sup>82</sup> Note that we can interpret this argument either as a normative argument, saying that unilateral property would be unjust, or as a conceptual argument, saying that unilateral property would be impossible. In this section, I discuss it as a purely conceptual argument. In Chapter VI, I consider it as a normative challenge. We could also interpret it as a causal claim, holding that property rights might be logically possible but practically unstable without states. I consider such issues in section VII.4. Exegetically, the normative interpretation seems like a more accurate interpretation of Kant's views, as he recognized that there can be some forms of possession in the state of nature.

follow from this assumption that we need some state to impose a uniform language in order for communication to be possible. On the contrary, language has developed spontaneously, independent of legal decrees determining its use, as language users naturally converge on using the same language precisely because this is necessary to enable communication. However, if language can develop spontaneously without a monopolistic authority imposing its rules, then why couldn't property rights?<sup>83</sup> While state legislation is one way to establish uniform rules, it is not the only method. Many common law legal systems have emerged spontaneously from social customs, without any monocentric legislator. Just as language enables communication and, thereby, mutually beneficial cooperation, property rights enable the coordination of our use of resources and, thereby, mutually beneficial trade and exchange. Therefore, there seems to be some developmental pressure on communities to coordinate their property titles independently of state law (cf. Crowe 2021; Hayek 1982).

There also seems to be a second issue with this argument from unilateral interpretation, which is that it leads to a vicious cycle. In order to coordinate our behavior, property titles must be roughly uniform. Allegedly, this can only be achieved by a common authority imposing these rules. However, this raises the question of why we would rely on this one common authority. Just as we could disagree on who is the legitimate property owner, we could also disagree on who is the legitimate interpreter of property rights. If everyone had their own personal interpreter, we would once again seem to run into the issue of impossible coordination. Partly, we might ask why individuals within a single state follow the same laws. Partly, we might ask how different states emerge over different territories. If it is impossible for two neighbors to negotiate the borders between their properties without a superior third-party authority, then how are two neighboring countries able to negotiate their borders? This coordination problem would also require a third-party authority to adjudicate its borders. Thus, according to this argument, property would only be possible if state authority were uniform, and state authority could only be meaningfully uniform under some form of world government. However, this assertion is blatantly false, as there are property rights and state authority without a world government. Perhaps one could say that state authority justifies itself. However, if state authority can do this, then why shouldn't property be able to?

One could argue that the state has a capacity for violence that enables it to enforce its rules, while property owners themselves are unable to enforce their property rights and must instead rely on the capacity of states. This brings us

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<sup>83</sup> One possible disparity is that the choice of language is a pure coordination game, while there is a higher level of rivalry in the distribution of property and territorial rights. While I believe that this is a valid point, the type of institutions discussed in Chapter VII would have the effect of giving the distribution of property more the character of a coordination game. Since everyone has an interest in maximizing the rental revenues they acquire, there will be a broad interest in allocating land to those who are most willing to pay for it.

to the second issue, namely unilateral assurance. While I agree that it is important to have some expectation that others follow property rules, I do not believe that state enforcement of rules is the only way to achieve this. Aside from state police, property rights could also be protected by other institutions, such as a neighborhood watch or a private security company. Consider the following scenario: Al is a large-scale property owner, upholding his rights with the help of a private security force. However, one day, the state in which Al resides dissolves. Nevertheless, as Al still has a significant number of security guards, people still respect his property titles.<sup>84</sup> What should we make of this case? If the argument is correct, it would be impossible for Al to remain a property owner without the state to support his right. But what makes it impossible? One might contend that Al's rights change status from property to territorial rights as the state dissolves, thereby enabling them to be self-justified. However, this is not an argument against the Equivalence Thesis; but an assertion of it.

Accordingly, there seem to be many non-state mechanisms for protecting property rights. Assume that everyone protects their own property, thus deterring infringement, or that everyone is protected by some, but not necessarily one and the same, protection agency. Either of these scenarios would create non-monopolistic, and hence non-state, mechanisms for enforcing property rights in the absence of states. The move from the position that all property rights need to be enforced by someone to the position that someone must enforce all property rights relies on the fallacy of composition. It is analogous to a move from the position that everyone has someone for a father to the position that there is someone who is everyone's father (Long 2008c, 136).

Nonetheless, if property rights do not stem from state law, where do these rights come from? Essentially, I believe that these systems of positive rights and rules are institutional facts. In other words, they are stable, recurring patterns of behavior that exist by virtue of being practiced. Such practices neither require nor can be reduced to written rules. We know of plenty of examples of legal decrees that exist only in law books, without being applied or followed in practice. Consider the written constitution of the Soviet Union, nominally protecting human rights and free speech, while still practiced as an immensely authoritarian state. While these rules may be on the books, they are dead letters. Conversely, we also know of plenty of rules that only exist in convention, but not in writing. The British constitution is one famous example of such an unwritten legal rule. These examples are interesting as they demonstrate that

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<sup>84</sup> Perhaps one could object that this argument generates a vicious circle, since Al would need to have property rights to pay his security guards and need to have security guards to ensure his property. We could avoid this merely by assuming that Al protects his own property. But interestingly, I don't think that this circle is vicious in the first place. Rather one could argue that the ability to compensate security arises mutually with the assurance of property itself. There would be no bees if there were no flowers, and there would be no flowers if there were no bees, yet, their ecological symbiosis is not logically impossible, as they arise mutually.

no rules, including the most basic constitutional rules of a legal system, can ever be self-applying or self-interpreting. These positive rules exist, and only exist, by virtue of being practiced. Hence, the state would dissolve if its laws were not generally recognized and adhered to (Long 2008c, 139–40; cf. Boétie 1975).

Similarly, positive property rights exist, and only exist, by being practiced.<sup>85</sup> While violent enforcement might induce such practices, it is neither necessary nor sufficient for them to exist. Consider a community without any central authority, within which the property titles of others are respected out of tradition, neighborly friendship, reciprocity, or a sense of personal ethics. There seems to be no logical impossibility in such patterns arising without a central enforcing mechanism. As long as these rules are followed, we seem to have property. However, just like positive legal rules are institutional facts that only exist if they are reasonably reliably adhered to, so too are positive property rules. If no one respects my property titles, say by trespassing into my forest, the property title is just a dead letter. In other words, property is effectively what your neighbors will allow (cf. Gillis 2011).

We can understand positive property rights and territorial rights by analyzing them in terms of successful commitment strategies. Imagine that your neighbor extorts you, threatening to dump trash on your lawn unless you pay a small fee. While it is cheaper in the short-term for you to just pay the fee than to call the police or otherwise confront the neighbor, doing so would set a precedent where the neighbor and others may continue to extort you, creating significant long-term costs. Hence, by confronting the neighbor, you assert property rights, signaling that you are committed to taking on significant short-term costs to defend your property. If your neighbor complies with this assertion, as a confrontation with you would be more costly than throwing the trash elsewhere, you will have effective property rights over the lawn (Friedman 2014, 249–50). “More generally, my rights are whatever I am successfully committed to defend, where success depends in part on other people recognizing my commitment and having no commitment of their own that directly clashes with it” (Friedman 2014, 254).

Analogously, states spend significant resources in the short-term to assert their territorial control. Consider the United Kingdom’s decision to confront Argentina in the Falkland War, even if doing so incurred costs that were disproportionate to the economic value of these islands. We can also understand the state’s authority over its subjects as a form of successful commitment strategy. From a short-term perspective, a single tax evader is not a real economic problem for the state apparatus. However, states are committed to spending significant resources to prosecute tax evasion to maintain a general norm of

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<sup>85</sup> Remember that I am discussing rights in the positive sense, rather than the normative sense. While most libertarians would argue that our normative rights are natural rather than conventional, they may still agree that our positive rights are a matter of actual conventional behavior.

tax compliance. Thus, the state exercises authority as long as people generally comply with its demands. While property owners have a commitment strategy to resist others taking their property, they selectively waive this commitment strategy in confrontations with states, such as in tax collection. This selective waiving of commitment strategies toward states enables us to explain why states may hold supreme rights within a territory, while property owners maintain subordinated rights to the same area (Friedman 2014, 254).

Thus, property and territorial rights are equivalent, with both emerging as successful commitment strategies. Hence, this analysis enables us to give a unified economic account of both positive property rights and territorial rights as successful commitment strategies that establish stable norms governing our behavior (Friedman 2014, chap. 52). Interestingly, these patterns of territorial commitment strategies do not only occur among humans but also among many territorial non-human animals. This, if anything, seems like evidence that these systems of territorial commitment strategies could also arise and remain stable within a state of nature. Hence, it explains how we could escape a Hobbesian state of nature into a system of stable property rights, even in the absence of a sovereign interpreting or assuring contracts (Friedman 2014, chap. 51).

However, this perspective dissolves the suggested division between property rights and state authority. While property rights need to have an omnilateral interpretation, they arise due to our social practices rather than being deduced from “self-interpreting” legal rules.<sup>86</sup> Thus, it appears that positive property rights and state authority share the same ontological basis, as they are both rule systems that exist by virtue of being practiced (cf. Long 2004a, 2006c, 2008d, 2010).

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<sup>86</sup> Practicing a rule can neither be reduced to mere behavior nor mere plans. Any finite sequence of actions, such as counting from 1 to 100, is compatible with an infinite number of different rules, such as “count from 1 and add 1 one more *ad infinitum*,” or “count from 1 to 100 and then start over” or “count from 1 to 100 and then 100 to 1,” etc. Similarly, our expressed intentions or plans cannot definitively resolve which of these rules I am following. As Wittgenstein suggests: “I cannot know what he is planning in his heart. But suppose he always wrote out his plans; of what importance would they be? If, for example, he never acted on them ... Perhaps someone will say: Well then they really aren’t plans. But then neither would they be plans if they were inside him, and looking into him would do us no good” (Wittgenstein 1982, 234–35). Rule following is, thus, better understood as a holistic concept that cannot be reduced to either self-interpreting sequences or events or self-interpreting plans for our actions (Long 2004a, 2006c, 2008d, 2010).

# Chapter V – An Anarchist Critique of Landownership

## V.1. Introduction

In the previous chapter, I defended the Equivalence Thesis, according to which we can understand states as a form of sovereign landlords. In this chapter, I explore the implications of this claim for libertarian anarchist theory. I posit that the Equivalence Thesis enables us to extend the anarchist critique of states to a broader critique of landownership. However, this stance challenges the right-libertarian anarchist view,<sup>87</sup> which combines an anarchist critique of state authority with the right-libertarian view of landownership. According to this view, individuals may unilaterally appropriate a disproportionate share of natural resources.<sup>88</sup>

Beyond challenging the right-libertarian anarchist position, I believe that this argument undermines right-libertarianism more broadly. One characteristic feature of libertarians is that they tend to reject the view that states hold the authority to impose content-independent obligations. While some libertarians see minimal states as justified, thereby rejecting political anarchism, all libertarians tend to embrace philosophical anarchism. However, since property rights can confer authority, the types of states that would arise from landownership would not only be justified but also wield content-independent authority. Consequently, even minarchist right-libertarians would be committed to defend states that arose in a way consistent with right-libertarian theories of entitlement, thereby undermining the general libertarian argument against state authority. Thus, I believe that this argument not only challenges right-

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<sup>87</sup> While right-libertarian anarchism certainly is a fringe position within the broader political landscape, it is the dominant version of libertarian anarchism. As such, it is a common position within the broader libertarian discourse. Most notably, it is accepted by most, if not all, self-identified “anarcho-capitalists” (Friedman 2014; Narveson 1988; Rothbard 1998). However, it is also defended by radical left-wing market anarchists, such as Roderick Long (2006a) and Gary Chartier (2012a, chap. II: IV), as well as major historical anarchist figures such as Thomas Hodgskin (1851) and Lysander Spooner (1855, 21).

<sup>88</sup> It is worth noting that similar critiques have been directed against the right-libertarian anarchist position previously (O’Mara 2001; Spafford 2021, 2023, chap. IV: 6; Widerquist 2009). This chapter contributes to this literature, especially in emphasizing not only the principled problems but also the risks of concentration over time, and by responding to potential counter-arguments.

libertarian political anarchism but also right-libertarianism more generally (Widerquist 2009).

The argumentative strategy of the chapter can be contrasted with Nozick's famous assertion that "Whatever arises from a just situation by just steps is itself just" (Nozick 1974, 151). However, by contraposition, if we can generate a situation that is blatantly unjust by steps that are non-aggressive and thus deemed just by libertarian standards, there must be something unjust in how the system was construed in the first place.

The chapter is divided into four main parts, including this introduction. In the second part, I provide an initial principled argument against right-libertarian anarchism. I claim that right-libertarians are committed to the conditional view that states would be legitimate if they acquired their land in a manner consistent with right-libertarian theories of entitlement. Thus, a system that is identical to our current system of states, or even one significantly worse than our current system, would be deemed legitimate if it had come about in another manner. However, this stance seems to conflict with the anarchist critique of states, which holds that the monopolistic nature of these institutions enables privilege, irrationality, and abuse.

In the second part, I address the objection that a right-libertarian anarchist system would be relevantly different from our current state institutions since landownership would be much less concentrated than currently existing states. I consider, and reject, both the premise that a widespread distribution of land would avoid the monopolistic nature of states and the premise that land could not be concentrated under such circumstances. I contend that the monopolistic features of states are not dependent on the number of suppliers, but rather on the supply itself. Consequently, a world with many small state-landlords does not appear inherently less exploitative than one with a few large state-landlords. Furthermore, I present three ways in which land could become increasingly concentrated, generating an international system of states similar to the one that exists today.

In the fourth and final section, I consider two possible counter-arguments to this general critique. First is the argument suggesting that the concentration of landownership is unlikely to occur, primarily due to the costs of enforcing property rights in a stateless setting. However, if this argument were valid, it would have undermined the existence of currently existing states as well. Secondly, I explore whether it would be possible to avoid this conclusion by restricting property rights. I believe that such restricted property rights would still legitimize restricted state authority, but that such authority would remain problematic for the anarchist position, even if it was restricted.



## V.2. The Principled Problem

Right-libertarian anarchists reject the existence of states while acknowledging full property rights in land. In this section, I argue that these two principles are conflicting, causing problems for the theory. The basic argument is that if full property rights in land are deemed legitimate, then some forms of states must also be legitimate. To see why this is the case, consider the following quote:

There is one critical argument for the State that now comes into view: namely, the implicit argument that the State apparatus really and properly owns the territorial area over which it claims jurisdiction. The State, in short, arrogates to itself a monopoly of force, of ultimate decision-making power, over a given territorial area—larger or smaller depending on historical conditions, and on how much it has been able to wrest from other States. If the State may be said to properly own its territory, then it is proper for it to make rules for anyone who presumes to live in that area. It can legitimately seize or control private property because there is no private property in its area, because it really owns the entire land surface. So long as the State permits its subjects to leave its territory, then, it can be said to act as does any other owner who sets down rules for people living on his property. (This seems to be the only justification for the crude slogan, "America, love it or leave it!," as well as the enormous emphasis generally placed on an individual's right to emigrate from a country.) In short, this theory makes the State, as well as the King in the Middle Ages, a feudal overlord, who at least theoretically owned all the land in his domain. The fact that new and unowned resources – whether virgin land or lakes – are invariably claimed as owned by the State (its "public domain") is an expression of this implicit theory. (Rothbard 1998, 172, cf. 2006a, 36)

Rothbard tries to deny the conclusion that states are legitimate by rejecting the premise that states have acquired their territory in a way that is consistent with right-libertarian entitlement principles (Rothbard 1998, 172). Be that as it may, in doing so, he also explicitly embraces the conditional premise that *if* states had acquired their territory in a way consistent with these right-libertarian principles, their monopoly authority would be legitimate. Once again: "If the State may be said to properly own its territory, then it is proper for it to make rules for anyone who presumes to live in that area. It can legitimately seize or control private property because there is no private property in its area, because it really owns the entire land surface. So long as the State permits its subjects to leave its territory, then, it can be said to act as does any other owner who sets down rules for people living on his property" (Rothbard 1998, 172). Rothbard's language makes his acceptance of this conditional premise unambiguous. And this conditional premise is itself in tension with anarchism.

It is also difficult to see how right-libertarians could deny this conditional premise. As argued in the previous chapter, property rights are a form of authority. They confer the property owner a legitimate right to establish and enforce rules regarding the property, as well as impose obligations on others to respect these rules. According to the libertarian theory, property owners

should be able to impose any conditions they want over their property, as long as they do not infringe on the property rights of others. If the property owner does not violate the rights of others by fully excluding them from the property, they would also not be violating their rights by conditionally excluding them. Hence, it is perfectly within the right of the landlord to condition access to the land as they see fit. However, this would enable property owners to condition access to land on tax-like rental fees and law-like lease conditions, including a condition that they should arbitrate all private disputes that arise between residents of the area. Thus, the conditional premise is an implication of the Equivalence Thesis together with right-libertarianism.

The challenge can be illustrated with the thought experiment of Sweden Inc. Imagine a legitimate landlord within a “stateless” society who declares that anyone residing within their territory must oblige with a set of lease conditions, which just so happens to be identical to the entire body of Swedish law. All interpretation and enforcement of this law will be managed by entities structurally identical to the Swedish judicial system, and it will be entirely funded by a set of rental obligations imposed on all residents, perfectly identical to the Swedish tax code. The result would thus be a territory exactly the same as the state of Sweden. Since Sweden is a state, it seems undeniable that the resulting entity would also be a state, as it mirrors Sweden in all of its essential features. However, this decree seems to be perfectly within the rights of the landowner. On what grounds could it possibly be rejected? By stipulation, the land is theirs, and they are not infringing on the rights of anyone else by doing as they please with it. Yet, if we accept that these lease conditions are laws, it seems that all lease conditions are laws. Similarly, if we acknowledge that these rents are taxes, it seems that all rents are taxes (Widmerquist 2009; cf. Rothbard 2006a, 36).

The issue becomes even more problematic when we consider the fact that the authority of property owners is comprehensive and content-independent. Consequently, while landlords could bind their rule with constitutions, public referenda, or divisions of power, they would not have any obligation to do so. They might as well rule their property as an absolute monarch. As long as they do not infringe on the property rights of others, they could rule their land however they want. Thus, right-libertarianism not only seems to legitimize some relatively weak or benign form of statism, such as a night-watchman state or a welfare state, but also any type of regime, no matter how despotic it may be. While the landlord could model their territory after Sweden, they could just as well model it after Czarist Russia, given that their tenants are allowed to leave. Hence, the argument not only challenges right-libertarian political anarchism but also right-libertarian philosophical anarchism more generally.

The problem with Rothbard’s argument is that while he can reject the contingent position that states have acquired their territory fairly, and thereby, the conclusion that currently existing states are legitimate, he cannot reject the conditional premise that states would have been legitimate, if they were the

rightful owners of their territory. This conditional premise is itself in tension with anarchism, making right-libertarian anarchism incongruous. The anarchist critique of states, as discussed in Chapter III, holds that the monopolistic nature of states tends to foster privilege, economic irrationality, and exploitation. Yet, these pathologies of monopoly states would be just as severe regardless of how these states originated. In other words, while Rothbard can maintain that all currently existing states are illegitimate, he cannot argue that states are illegitimate as such. The anti-statism of Rothbard is entirely contingent, as it relies on states not arising via homesteading (cf. Spafford 2023, chap. IV: 6).

A right-libertarian could potentially respond that they are not committed to the view that legitimate states are impossible, but assert that no current states hold political authority. For example, many libertarians might say that states would be legitimate if they actually acquired the consent of their citizens. Nonetheless, since no actual states have acquired such consent, none are deemed legitimate. However, I believe there are significant differences between hypothetical authority arising from consent and the hypothetical authority of landlords.

The fact that people have consented to an institution appears to be a much more plausible justification for why they would be obliged to obey it than the historical question of how the land was appropriated. Since this appropriation of land could have occurred long before I was born, it is unclear why I would be bound by it. Even if we agree that I could be obliged by my own consent, we would reject the view that I could be obliged because of the actions of my ancestors. Thus, even if it turned out that our ancestors decided to establish a state on the land, it is unclear why I would be bound by this decision (Spooner 1870, sec. I). Furthermore, in the case of consent, individuals would presumably be able to withdraw their consent at some later time, thereby opting out of the institution. Hence, the institution would not maintain a dynamic monopoly and would thus not qualify as a state. Such exit options would provide some checks on the potential abuse of these institutions. However, since the supply of land is fixed, a system of states based on landownership would be monopolistic. Accordingly, there would be no corresponding opportunity to exit, and no check upon its abuse of its subjects. Consequently, I believe that the potential authority of sovereign landlords is much more problematic for libertarians than the potential authority of consensual institutions.

However, one could assert that there is an important difference in the geographical extent of legitimate landholdings and conventional nation-states. Today, our globe is divided among some 200 states, whereas it is divided among millions of landowners. Furthermore, many current landowners have acquired their vast estates through state privileges, without which, the right-libertarian anarchist could argue, the distribution of landownership would be even more dispersed. Thus, the landlords would face much more competition with each other, drastically reducing the market share and monopoly power of

any given landlord. I consider this counter-argument in more detail in the next section. However, first, I want to make three preliminary points concerning this reasoning.

First, we want our normative theories to be universally applicable in all possible worlds, even in infeasible and unlikely thought experiments. We consider it a problem for utilitarianism that it treats the concept of utility monsters in a counter-intuitive way, even if there are no utility monsters. Consider, for example, the Patriarchal argument, positing that the Patriarch Adam was the legitimate original ruler of the earth (perhaps after spending his 930-year lifespan homesteading it), thus providing him and his chosen line of descendants with the rights of absolute monarchy (cf. Filmer 1680). While we might deny the historical accuracy of this scenario, right-libertarians are unable to deny that Adam and his descendants would legitimately have this power under such hypothetical circumstances. This inability to reject absolutist despotism seems problematic for any theory of political justice, particularly anarchistic theories.

Secondly, even if we grant that right-libertarian principles would result in millions of small landowners, making it different from a system of major nation-states, it still does not seem to differentiate it from a global system of micro-states. A global system of micro-states represents something very different from a system without states. While it is extremely decentralized, it would not be anarchist, properly speaking. Thus, just because the homesteading principle would not lead to nation-states, this does not mean that it would lead to anarchism in any strict sense. While micro-states may be smaller in geographical extent, there is no guarantee that smaller entities are less oppressive. While the family is among the smallest and most decentralized institutions we have, the domination of an abusive family Patriarch can be much more oppressive than that of some emperor half a globe away. “Anarchy is a scale-independent proposition” (Gillis 2015).

Thirdly, it appears that the problems of landownership arise not only when one party owns all the land, but as soon as some parties are excluded from owning any land at all. These individuals find themselves in a situation where they may choose their master, yet cannot remain independent of any master. Even if they could purchase their freedom at the cost of purchasing land of their own, we would generally say that a system in which people are born into subordination is still wrong, even if they may have the option of buying their freedom in the future. Therefore, even if the land were distributed among millions, rather than hundreds of landlords, it could still leave significant portions of the world landless (cf. Widerquist 2013).

Thus, I conclude that there is an inherent conflict between philosophical anarchism and landownership, as well as within the right-libertarianism itself. While I have linked landownership and states on a principled level, defenders of right-libertarian anarchism could still contend that their principles could never give rise to these counter-intuitive outcomes in practice. Thus, even if

it may be difficult for a right-libertarian to reject this principled argument, they might be willing to bite the bullet. In the next section, I posit that this strategy fails, as right-libertarian principles could create a system similar to contemporary nation-states, not only in theory but also in practice.

### V.3. Monopoly and Concentration

Thus far into this chapter, I have argued that there is a principled incongruence between right-libertarianism and anarchism, as right-libertarian principles would grant landowners monopolistic authority over their territory. Thus, landowners in a right-libertarian anarchist system are more akin to micro-states than non-states. However, a defender of right-libertarian anarchism could still argue that such a system, while technically a system of micro-states, would be vastly different from our current system of nation-states in practice. As landownership would be more widely dispersed than current concentrations of territorial state authority, each party would have a smaller market share, decreasing the monopoly power of these landowners and, consequently, the monopolistic nature of these micro-states.

This counter-argument from dispersed landownership can be said to rely on two premises. First, that a world in which landownership is dispersed would be significantly less exploitative than a world in which landownership is concentrated. Secondly, that it would be impossible to concentrate landownership without violating right-libertarian principles. This latter premise is expressed in Ludvig von Mises' assertion that:

Nowhere and at no time has the large-scale ownership of land come into being through the working of economic forces in the market. It is the result of military and political effort. Founded by violence, it has been upheld by violence and by that alone. As soon as the latifundia are drawn into the sphere of market transactions they begin to crumble, until at last they disappear completely. Neither at their formation nor in their maintenance have economic causes operated. The great landed fortunes did not arise through the economic superiority of large-scale ownership, but through violent annexation outside the area of trade. (von Mises 1951, 375; quoted in Rothbard 2006b, 167–68)

Right-libertarians would only be committed to the legitimacy of territorial rights that have arisen in a manner consistent with a right-libertarian entitlement theory. However, the vast majority of existing states have acquired their territory through some form of conquest, in clear violation of this entitlement theory. Thus, the right-libertarian could contend that it would be impossible for any single landowner to legitimately acquire areas of land anywhere near the extent controlled by contemporary nation-states. Consequently, if the entitlement theory were strictly adhered to, we would instead see a multitude of small, independent landowners.

This section is divided into four subsections, each presenting a different counter-argument against this position. In the first subsection, I apply geoist economic theory to question the premise that a system of micro-states, under which landownership is dispersed, could not be as exploitative as a system of nation-states. Using geoist analysis, I argue that the exploitative nature of states, or landlords, is not determined by the number of suppliers, but rather by the supply itself. Since the supply of land, and territory, is fixed, these institutions can generate exploitative rental incomes even if ownership is dispersed.

The remaining three subsections discuss the premise that landownership could not be concentrated without violating right-libertarian principles. While I agree that many actually existing concentrations of landownership have arisen through conquest and plunder, I assert that such rights violations are not necessary for the concentration of landownership. In the second subsection, I use geoist economic analysis to suggest that there are inherent features within landownership that cause a trend toward increasing concentration over time. In the third subsection, I posit that it would be possible to intentionally accumulate landownership over time, resulting in perpetual, exponential concentration of landownership. Finally, in the fourth subsection, I argue that massive concentrations of landownership could arise through conscious collusion among landowners.

These arguments are structurally similar to Nozick's famous rejection of competing agencies providing security in stateless societies. Essentially, Nozick argued that such a system would naturally tend toward monopolization without necessarily infringing upon anyone's legitimate rights. Thus, Nozick deemed the monopolization of security to be unavoidable and justified<sup>89</sup> (Nozick 1974, chap. 5). While anarchist libertarians widely reject Nozick's argument (Caplan and Stringham 2003; Childs 2007b; Huemer 2013, 254; Rothbard 2007), I apply a similar argumentative strategy to examine the case of landownership. Unlike security, the supply of land is fixed, making it especially vulnerable to concentration over time.

These arguments can be interpreted in either a weaker sense or a stronger sense: that massive concentrations of landownership are possible or that they are likely to arise under right-libertarian principles, respectively. Given the theoretical nature of the arguments and of stateless societies, it is much easier to demonstrate that concentrations are possible than to demonstrate that they are likely. However, it seems that the weaker interpretation is sufficient for seriously challenging the right-libertarian position. As I argued above, the right-libertarian position is committed to the problematic conditional view that

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<sup>89</sup> Of course, the way I use the argument is rather different from Nozick's. While Nozick is using the argument as a *modus ponens* to show that minimal states could be justified, I am using the argumentative structure as a *modus tollens* to show that there is something wrong with right-libertarianism, since it indicates that these states would be legitimate.

states would be legitimate if they acquired their territory in a manner consistent with right-libertarianism. Furthermore, I argue that we want our principles to be applicable even in highly fantastical scenarios, such as those involving utility monsters. However, a right-libertarian might be tempted to bite the bullet if they were confident that such scenarios could never arise in the real world. Hence, one central function of subsections three and four is thus to describe hypothetical scenarios under which land concentration occurs without relying on supernatural stipulations or the use of aggressive violence. Therefore, we can think of them as thought experiments. Regardless of whether we believe that these concentrations are likely to occur, the fact that they are practically possible, and the fact that right-libertarians would have to recognize them as legitimate, pose a formidable problem for the right-libertarian position.

Finally, it is worth emphasizing that any one of the four mechanisms I discussed would be sufficient for undermining the practical objection and challenge right-libertarianism. Moreover, aside from being individually sufficient, the four mechanisms are complementary. This is partly because different mechanisms of land concentration could all operate simultaneously. More importantly, the arguments collectively would present a dilemma. To the extent that right-libertarians reject the first argument, namely that a system of many small landlords could be as monopolistic as a system with a few large landlords, they would be committed to the view that larger concentrations of landownership would yield more significant rental revenues than more dispersed landownership. Hence, they are committed to the view that there are significant positive marginal returns to landownership. However, if this is true, there would also be a significant economic incentive to concentrate landownership, making it more likely that such concentration would occur over time, spontaneously or deliberately. To the extent that the right-libertarians can manage to avoid the first horn concerning the analysis of monopoly, they will be more vulnerable to the second horn, i.e., the risk of concentration in land, and vice versa.

### V.3.1. On the Nature of Monopoly and the Monopoly of Nature

In this section, I delve into the premise that a world where landownership is dispersed would be significantly less exploitative than one in which landownership is concentrated. Following Ricardo's Law of Rent, I claim that the level of rent is not determined by the number of landlords, but by the margin of production. Hence, a system where landownership is more dispersed may not inherently be less extractive than one with a few large landlords. However, I also argue that we can imagine some theoretical scenarios in which the concentration of landownership might incentivize landlords to keep land out of active use, thereby increasing rents.

It is important to note that I use the term “monopoly” in a dynamic rather than static sense. Instead of referring solely to a market with only one supplier or to whether any given producer has sufficient market share to influence the price of goods, I define a market as monopolistic if entry is restricted, enabling suppliers to generate monopoly profits above the cost of production.<sup>90</sup> An example would be a local government demanding everyone operating a taxi vehicle within their city to acquire a taxi medallion, the supply of which is fixed at a level below the demand for taxi rides at their cost of production. Thereby, it would also increase the price of taxi services above the cost of production. Hence, each taxi driver can generate a monopoly profit from the restricted supply, even if none of them controls the entire market, or sufficient market shares to individually influence the price of taxi rides.

According to geist economic analysis, a system consisting of many small landowners would be structurally similar to a situation of many small taxi drivers, none of which have sufficient market shares to influence the price of land, but all of which receive monopoly profits from it. The reason for this is that the supply of land, and especially of high-quality land, much like the supply of taxi medallions, is essentially fixed. According to the law of rent, the rental value of land is not determined by the number of landowners but by the relative difference between the site and the best land available for free, i.e., at the margin of production.

To illustrate this, consider again the demonstration of the law of rent. Imagine a sequence of sites ordered by their productive capacity, such that *A* can produce 10 units, *B* 9 units, etc. Adam controls all the sites *A* through *E*. Hence, the margin of production is at site *F*, producing 5 units. Hence, the general level of wages will be 5, while the rental value of a site will be determined by the difference between the site and *F*. Hence, the rental value of *A* is  $[10-5=5]$  units, the rental value of *B*  $[9-5=4]$  units, etc. Adam's total rental revenues will consequently amount to  $[5+4+3+2+1=15]$  units in total. Now, imagine that Adam would die and leave the five sites to five different friends. What would the rental revenue of these five landlords be? The margin of production would still be *F*, setting the level of wages to 5. In addition, the rental value of the other sites would still be determined by their relative advantage over the margin of production. Hence, *A* would still generate 5 units of rent, *B* 4 units, etc., and, collectively, they would still generate 15 units (Foldvary 1994a; George 1898b, bk. III:II; Ricardo 2000, chap. 2).

Thus, given the same margin of production, landownership would yield the same level of rental exploitation, whether the land is concentrated under one large landlord or dispersed among several smaller ones. While a more dispersed distribution of land could expand the class of landlords, it would not change the situation for those who are excluded from land, as their wages would still be determined by the same margin of production. The problem

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<sup>90</sup> See footnote above 12 for a brief discussion of this use of the term.



causing monopoly profits is not the number of suppliers, but rather the fixed supply of land. Nature is a natural monopoly. Trying to solve the issue of restricted supply by increasing the number of suppliers is like trying to make a meter longer by dividing it into ten decimeters.

A central difference between taxi medallions and landownership is that while the limited supply of taxi medallions stems from an artificial construction created by state privilege, the limited supply of land is a natural economic fact. It arises naturally from the fact that land is not and cannot be reproduced. Hence, the supply of land is naturally fixed. Accordingly, as soon as demand for top-quality land exceeds its supply, there will be a difference between land in use and land at the margin of production, generating rents. None of these features are the result of government intervention but would arise just as well in a stateless society.

This issue becomes even more severe when we consider the geoist argument that taxes and excess burdens largely stem from rents. Essentially, the rental value of a site will reflect the desirability of residing there. Hence, if the government imposes burdens on residents of an area, it will also depress the rental value of that area. For instance, if the government requires that everyone within a given neighborhood to pay an increased tax, this would deter people from living in this specific neighborhood, thereby reducing its rental value. Similarly, if the government imposes artificial privileges within the area, such as requiring that all of its residents will have to use a licensed taxi driver for their taxi rides, this will also decrease the attraction of residing in this area. While it increases the monopoly profits generated by the taxi drivers, it simultaneously decreases the rental value for landlords living in the area. Consequently, there is a substitution effect among rental revenues generated by landlords, taxes, and monopoly profits generated via artificial state privileges. An important implication of this analysis is that if the state were to disappear and remove tax burdens and artificial profits, it would result in a significant increase in rents. Hence, rather than shifting all these incomes back to their original producers, much of these incomes would merely be shifted from one group of plunderers to another (Gaffney 2009, 370–81; George 1898c, bk. VI:I, 1898e, chap. XVIII, 1898d, 267; Jacobson 2023).

Thus, monopoly profit can arise in a market even if ownership is dispersed, provided that entry to the market remains fixed. Hence, increasing the number of suppliers alone is insufficient to abolish monopoly rents. That being said, while restrictions on entry are a necessary condition for monopolization, there are cases where it matters whether a monopolized market is controlled by one or several suppliers. In other words, it could matter to some extent whether a market is monopolized in the static sense, *given* that it is monopolized in the dynamic sense. To see why, consider the following example. The total demand

for taxi cabs, at the cost of their production, is 2,000.<sup>91</sup> The number of taxi medallions is only 1,000. However, the total income of the suppliers would be maximized if the supply were restricted to 750, thereby increasing prices even further. If the taxi medallions are controlled by 1,000 independent cab drivers, they will all operate, making some monopoly profits above what they would have made on an open market, but still less than they could have if supply were even more restricted. However, if all taxi medallions were controlled by a single company or a successful collusion of taxi drivers, these would be able to decrease the supply of taxi cabs by intentionally leaving 250 of their taxi medallions unused, thus only putting 750 cars on the road and maximizing profit. Such a scheme is only possible if entry to the market is restricted in the first place. Yet, once it is restricted, some actors could capture and leverage static market shares, amplifying the effect of the original entry restrictions.

We can construct similar theoretical examples in the case of land and rent. Assume that it would be possible to appropriate a site and keep it out of active production at a cost of 2 units.<sup>92</sup> Doing so would not generate any income from this particular site, but it would push the margin of production from  $F$  and 5 units to  $G$  at 4 units. Thereby, it would increase the rental value of each site above the margin of production by one unit. Now, if the land were dispersed among five different landowners, none of them would be inclined to appropriate  $F$ , since doing so would cost them 2 units but only result in a one unit increase in rent. However, if landownership is concentrated under Adam, he would have an incentive to do so, since it would only cost him 2 units while increasing his rental revenue by 5 units. Hence, he would gain a net increase of 3 units. In other words, concentrations of landownership enable landowners

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<sup>91</sup> To keep the argument simple, we can assume that demand is for 2,000 cars used at their full capital capacity. For the purpose of the argument, what is most important is that the number of medallions is lower than the number of cars that can be effectively employed. Otherwise, the taxi medallions might incentivize more intensive use of idle capital, rather than creating artificial scarcities and monopoly profits. However, this assumption does not undermine the analogy with land. Since land is not used up or wasted when used, its consumption is best understood as pre-empting its service flow for a certain time slot. It is comparable to holding a reserved ticket at a concert. Regardless of whether the ticketholder actually uses the seat, the reservation pre-empted others from using it. Thus, rental value is not based on actual use but on the opportunity cost regardless of use (Gaffney 1994a, 86–87). Hence, as discussed in footnote 26, the law of rent determines the value of a site compared to the margin of production, given an optimal input of labor and capital (Hirsch 1901, 124–27). Just as increasing wages incentivize labor-saving capital substitution, increasing rents incentivize more land-saving capital substitution and more efficient usage of land, for example, in building additional floors on buildings. While such substitution mitigates land scarcity, it cannot completely solve it, as land is inherently limitational and due to diminished returns from capital substitution. In other words, you cannot build a second floor without having some land on which to build the ground floor, and there are diminishing returns to building additional floors (Gaffney 1994a, 56–57).

<sup>92</sup> One could, for example, assume that the land would be appropriated by squatters unless regularly patrolled and that such patrols cost 2 units.

to intentionally keep land out of production, pushing the margin of production to less productive land, thereby increasing rents.<sup>93</sup>

Consequently, while it is not the case that rents would be eliminated if landownership became more dispersed, it is possible that less land would be kept out of active use, thereby shifting the margin of production to more productive land and increasing rents. The extent to which current levels of rent are influenced by a natural margin of production, or caused by land being intentionally left idle, is ultimately an empirical question, beyond the scope of this thesis.

In conclusion, I believe that the monopolistic nature of landownership seriously undermines the presumption that dispersed landownership would be unproblematic, thereby challenging also right-libertarianism. However, given the fact that concentrated landowners could, at least in principle, shift the margin of production, it is worthwhile to also investigate whether landownership could concentrate without the use of coercion. Doing so, we will, for the sake of argument, assume that there are at least some monopoly profits to be gained from increased concentration of landownership.

### V.3.2. Spontaneous Concentration

According to the right-libertarian objection, a right-libertarian anarchist system would be significantly different from our current system of states, as landownership would be much less concentrated. In this section, I use geist economic analysis to argue that there are inherent features in landownership that generate a spontaneous tendency toward increasing concentration. Thus, it creates a malign invisible hand mechanism, making the rich richer and the poor poorer.

Interestingly, this mechanism is pedagogically modeled in the popular board game *Monopoly*, originally invented by Lizzie Magie as *The Landlord's Game*, to illustrate the economic theories of Henry George. In her own words: "It is a practical demonstration of the present system of land-grabbing with all its usual outcomes and consequences, [...] It might well have been called the 'Game of Life,' as it contains all the elements of success and failure in the real world, and the object is the same as the human race in general seems to have, i.e., the accumulation of wealth" (*The Landlords' Game* 1902). The income earned when completing a full lap around the board is supposed to represent wages. Interest is generated when players lend money to each other or the bank. Additionally, the income obtained when other players land on your property is supposed to model rent. As in the real world, the supply of land is

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<sup>93</sup> Note that the case is highly stylized and presented for the sake of argument. Actually, as is emphasized in much geist literature and elaborated upon in the next section, the reverse scenario is more likely to occur. Private landownership results in incentives for speculation that effectively functions as an unconscious, spontaneous cartel in land.

fixed. While purchasing land incurs a one-time fee, the income derived from it continues perpetually for the rest of the game.

While we cannot determine *a priori* which player will win the game, we can say *a priori* that all games of *Monopoly* will eventually end up with land concentrating in the hands of one player, while impoverishing the others. In other words, the design of the game inherently fosters a trend toward concentration in wealth. The result can be explained with the following model. The wealth of each player is determined by their rental income, plus their non-rental income. Non-rental income accrues via chance cards, or when completing a full lap around the board, which, in turn, is based on the toss of the dice, and is thus randomly distributed. Thus, it can favor one player over another in the short-term. However, in the long run, the costs and benefits of luck tend to even out among the players. Consequently, we have no reason to believe that this non-rental income would lead to systematic inequalities in wealth over time.

The rental income represents the gains made from other players landing on one's property, subtracted by the cost of landing on other players' property. These rents do not introduce new wealth into the system; rather, they merely redistribute money from the player landing on the property to the player owning the property. Thus, players who own more (or more valuable) property than others can expect to make a net rental gain, while players owning less property than the average will be expected to experience a net rental loss. As the rental income of some players will be positive, while the rental income of others will be negative, the wealth of the players will diverge from the mean over time, creating increasing systematic inequalities in wealth. Therefore, even if all players start with the same amount of wealth, and even if the game is procedurally fair, in the sense that the rules of the game are not biased in favor of any given player, the design of the game ensures unequal outcomes.

Furthermore, due to their increased income, the relatively wealthy players will be in a better position to purchase additional property. As the amount of rental income is a factor of property ownership, and the amount of property ownership is a factor of rental income, the arrangement causes a positive feedback loop, concentrating landownership among the wealthiest players. Given the exponential growth of these investments, even fairly small differences in investments in *Monopoly* assets can lead to significant differences in landownership and wealth concentration over time. Hence, the exponential growth of these investments exacerbates and magnifies any initial discrepancies of wealth. Thus, the monopolistic nature of land could give rise to significant inequalities in landownership, even in circumstances that are initially egalitarian (Kyriazi 2004, 462–66).

One might object that this would be a perfectly desirable effect of exponential growth, arguing that everyone can invest wisely and that growth tends to benefit everyone in the long run. However, this counter-argument fails to appreciate the difference between an increase in wealth and the concentration

of existing wealth. While investments that increase total wealth would be desirable and could reasonably be attributed to the original investor, this is not an accurate depiction of our case above. There has been no increase in wealth or production, as there has been no increase in the number of properties. By stipulation, the supply of properties is a constant sum good. What has happened is merely that while control of properties was originally dispersed, it has now become concentrated to a single player. The rents do not create an increase in wealth, only a redistribution, and a concentration of it. They do not provide any benefit to the customers or the laborers, but only to the monopolist. Moreover, as the supply is a constant sum good, it would not be possible for everyone to achieve equivalent gains. The gain of one must come at the expense of another.

To the extent that *Monopoly* models the real world, we should expect similar tendencies to arise. Treating non-rental income as a random variable allows us to isolate the effects of rents and landownership. Acquiring land is a one-time fixed cost, which we can think of as the cost of homesteading a site under right-libertarian rules.<sup>94</sup> Once acquired, it yields an effortless stream of rental revenue, redistributing resources from tenants to the landlord. Following the law of rent, such rental incomes will arise for any land that is above the margin of production. As long as rents do not exceed this difference, tenants will be incentivized to lease the land rather than settle new land at the margin of production. This provides landlords with the opportunity to earn effortless income, as rents are redistributed from tenants to landlords. Since the supply of land is fixed, it is reasonable to think about this as a zero-sum redistribution from tenant to landlord, rather than a positive-sum interaction. Hence, even if the landlord and the tenant were to receive similar wages, this rental redistribution would lead to a regression from the mean over time and is consequently sufficient for generating a trend toward increasing systematic inequalities.

This trend toward income inequality will also foster a trend toward concentration in landownership if we assume that comparatively wealthy people are also more likely to acquire new property than those who are comparatively poor. We can also support this assumption by considering the selling prices of land. Land markets are hypersensitive to discount rates. While capital assets tend to depreciate in value as they require maintenance or become obsolete, land lasts forever; it neither deteriorates nor becomes obsolete. Instead, it tends to increase over time with adjacent economic development. As buyers expect the cash flow from a site to grow by some annual growth rate ( $G$ ), the valuation formula of a site is its cash flow, divided by the interest rate minus

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<sup>94</sup> It is somewhat ambiguous what counts as homesteading by right-libertarian standards; hence, any cost associated with original appropriation may be somewhat arbitrary. However, once it has been appropriated, the price of the lot is determined endogenously through trading between the players.

this growth rate ( $I - G$ ), rather than the interest ( $I$ ) rate alone (Gaffney 1994a, 69).

An effect of this is that land prices often tend to be very high in relationship to their cash flow, creating high credit barriers for individuals seeking to purchase land. Furthermore, just as land prices are hypersensitive to interest rates, individual bidding power for land will be hypersensitive to people's individual internal interest rates. This internal interest rate is largely determined by one's credit score, which is, in turn, largely determined by access to collateral in the form of previous landownership. Consequently, previous landowners, with access to collateral and hence also credit, will have a lower carrying cost for land compared to those without such collateral. It follows that landownership tends to gravitate toward those with previous collateral, such as land, making it highly concentrated, and increasingly concentrated over time (Gaffney 1994a, 70–73).

Furthermore, the fact that the economic value of sites is expected to grow over time creates an incentive to speculate on land values. Hence, there is an incentive to purchase land, even if one is not going to put it to its most effective use, based on the often justified expectation that one will be able to sell the land at an even higher price in the future.<sup>95</sup> However, as a consequence, significant amounts of land are appropriated by speculators and kept out of active use. By keeping land out of production, this effectively shifts the margin of production toward less productive land, thereby depressing wages. Essentially, this creates an unconscious, spontaneous cartel among landlords. It creates artificial scarcities that drive up land prices, benefitting current landlords while depressing wages and raising credit constraints and barriers of entry for the landless (George 1898b, bk. IV: IV).

Finally, I believe it is also worth pointing out that the right-libertarian is committed to the view that individuals in a stateless society would be incentivized not only to invest in land in general but also to concentrate landownership. If the right-libertarian anarchist is correct in asserting that large concentrations of landownership, e.g., nation states, can yield more monopoly profits than a large number of smaller micro-states, then they must maintain that the yield of land increases as land is concentrated. Nonetheless, if this is true, there would be an increased marginal return to investing in land, making those with relatively large estates not only more able to invest in additional land but also more incentivized to do so. Thus, in addition to there being a general incentive to invest in land, which major landowners are better able to satisfy, there would also be a specific incentive for major landowners to concentrate landownership.

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<sup>95</sup> As discussed in section II.2.4., land values tend to rise with increases in population and productivity, and due to speculation, itself. The same would be true for other inelastic goods, such as taxi medallions, thereby incentivizing speculation and artificial scarcities in these goods as well.

Consequently, there are structural features inherent in landownership that are likely to produce systematic wealth inequalities, and perpetually increasing concentration of landownership.

### V.3.3. Intentional Accumulation

In the previous section, I argue that concentration of landownership can arise as an unintentional consequence of the incentive structures inherent to a system of landownership. In this section, I contend that concentration, aside from arising spontaneously, would be possible to create by conscious design.

Given the Equivalence Thesis, the right-libertarian is committed to the position that a small-scale landowner would essentially be a form of micro-state. Such a micro-state could not legitimately conquer territory from its neighbors. However, it could legitimately purchase it. Imagine one such micro-state making a constitutional commitment that, for all perpetuity, it will dedicate part of its tax revenue to purchasing some additional land from its neighbors. Every year, it would be able to purchase some additional piece of land. As the total supply of land is fixed, with each piece of land purchased, the micro-state would also secure a larger share of the total land. In principle, this growth could continue perpetually until all available land had been acquired.

Expressed more theoretically, one could say that there is an inherent potential for static monopolization within dynamic monopolies. The restriction on entry, which defines dynamic monopolies, produces two major effects. First, by limiting supply, it generates an effortless stream of monopoly profit above the costs of production. Secondly, it fixes the supply of a good. Thus, any increase in the holdings of one party also entails a corresponding decrease in the holdings of other parties. As it fixes the size of the pie, it ensures that a larger piece of the pie will always constitute a larger share of the pie. These two conditions can be utilized to concentrate ownership within a dynamic monopoly market, making it more monopolistic in the static sense.

Accordingly, just as we could imagine a micro-state growing over time, we could imagine a similar mechanism occurring in a dynamically monopolized taxi market. At the cost of production, the demand is 2,000. However, government restrictions have decreed that only holders of a taxi medallion are allowed to operate a taxi cab, limiting their supply to 1,000. Thus, the market for taxis is monopolistic, regardless of whether these 1,000 taxi medallions are owned by a single firm or by several independent operators. The income derived from operating a taxi will exceed the cost of operating the taxi, creating perpetual monopoly profits. To isolate the effect of this monopoly privilege, we can imagine a firm that only owns taxi medallions and leases them to independent taxi drivers. Hence, while the drivers provide the labor and the capital, the firm can acquire an effortless stream of monopoly profit revenue.

Now, let us assume that one such monopoly firm is organized in such a way that its monopoly profits are not distributed as shareholder dividends or used

for consumption, but reinvested to purchase more taxi medallions. The price of such taxi medallions would reflect the value of the annual cash flow divided by the interest rate and, consequently, be significant in relationship to the cash flow. However, given sufficient time, the monopoly firm would be able to use the accumulated monopoly profits to purchase a second taxi medallion. They would thereby have doubled their monopoly profits. This action would not only double their absolute number of taxi medallions, but also increase their share of taxi medallions. Instead of controlling one percentile of the market, they now control two percentiles. As a consequence, the market becomes more monopolized in the static sense of the word. As the procedure is repeated, there will be an inherent trend toward increasing concentration of taxi medallions within the hands of one company, rather than a widespread distribution among many.

Similarly, since land is monopolized in the dynamic sense of the word, it generates an indefinite, effortless stream of rental revenues. This indefinite stream could be channeled to perpetually purchase more land. As discussed above, the selling cost of land is often significant in relationship to its cash flow rental income.<sup>96</sup> Hence, it is likely that the annual growth rate of the micro-state is rather low. Nevertheless, it could continue perpetually. As the supply of land is fixed, any increase in the amount of land held by the landlord is also going to be an increase in the share of land controlled by the landlord. In principle, the concentration could continue until the landlord becomes the sole owner of the entire area.

Given that the selling price of land is significant in comparison to its cash flow, one might object that such concentration is so slow that the originators would likely be deceased before achieving a static monopoly. "In the long run, we are all dead." However, this was the historical process of the enclosure of the commons, during which state-backed feudal lords were able to expropriate common land, thereby generating a large class of dispossessed, landless proletarians. The fact that this process occurred gradually over several centuries hardly makes it any less oppressive for those living with its effects. Similarly, it seems that the right-libertarian would be committed to the view that if Hammurabi had legitimately acquired a piece of land during the Bronze Age and diverted its rental value into purchasing more land, we would all be morally obliged to comply with his law today.

Importantly, there is no need for such accumulation to be confined within the limits of one lifetime. This process of concentration could arise and endure indefinitely by some non-natural legal person. After all, as discussed in the

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<sup>96</sup> The selling price of land will be determined by the discount rate of those involved in the trade. While keeping land generates a perpetual stream of income, selling it would yield a much larger one-time lump sum. Thus, given that the buyer has a longer time preference and a lower discount rate than the seller, they would both be inclined to accept the purchase.



previous chapter, the organizational form of most contemporary states is similar to that of corporations (cf. Ciepley 2013). Thus, we can imagine that the land is not owned by a single person, but by a corporation or a land trust chartered to never sell off any of its territory while devoting part or all of its rental income to purchasing more land. Such a land trust would accumulate land indefinitely, as it could constantly acquire more land while never losing existing assets. However, in doing so, it would also accumulate an ever-increasing share of existing land, as the total supply of land is fixed. Therefore, while the concentration of land might be a slow process, it is also perpetual.<sup>97</sup>

Of course, a right-libertarian could object that such accumulations are unlikely to continue perpetually due to potential external shocks in the form of foreign invasion or rebellion. However, if the landlord had acquired their land in a way that is consistent with right-libertarian principles, any such external shocks would be a form of illegitimate aggression. In an ideal world where everyone adhered to the principles of non-aggression, such external shocks would not exist. It seems problematic for the right-libertarian view if it is committed to the violation of its own principles in order to avoid these highly troubling scenarios. To use the Kantian language, it appears to violate the notion that we should only act according to principles that we would rationally want to become universal law (Kant 1998, 4:421). Furthermore, some institutions, such as the Catholic Church and many nation-states, do seem able to endure for a very long time.

While the question of how quickly land would concentrate is empirical, and beyond the scope of this thesis, it is worth emphasizing that such a setup would also create a positive feedback mechanism. As each new piece of land will also generate a rental income, it will also increase the pace at which one can purchase additional land. Thus, the system would not only result in constant growth, but also exponential growth. To acquire their second taxi medallion, the taxi firm needs to double its initial holding. However, once they have acquired it, they would also have doubled their monopoly profits, and thus also the rate at which they can purchase additional taxi medallions. If they were to double their holdings once more, they would have not three, but four taxi medallions. And after another doubling, they would have 8 medallions, etc. Thus, for them to acquire a complete static monopoly of the market, and control all taxi medallions, they would not need to spend 1,000 times as much time it took to double their initial holding. It would suffice with about 10 duplications of their initial holding. If, for example, there were a million medallions on the market, they could acquire all of them after only 20 duplications.

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<sup>97</sup> Historically, one common type of cumulative land institution has been the *fideicommissum*. Essentially, it is a bequest in which the beneficiary is restricted in their ability to advance the estate. For example, if Adam bequeathed his estate to his firstborn child, Cain, on the condition that Cain bequeath it to his firstborn child Enoch, and Enoch bequeath it to his firstborn child, etc. In such an arrangement, it is often expected that each successive generation not only preserves the estate but also enlarges it, resulting in a cumulative increase in the estate over time.

Another counter-argument is that landlords would not be incentivized to make such long-term investments, as it would preclude consumption in the short-term. Why would anyone forgo consumption in the here and now to accumulate land in the future? Aside from financial motives, as discussed in the previous section, another motive for increasing landownership could be ideological. As argued in Chapter IV, property can be understood as a form of authority, and sovereign landlords as a form of state. Undeniably, individuals are willing to spend resources on advancing political and ideological goals, independent of whether this would provide them with any personal financial benefit. One way of advancing such political goals would be for a political party to acquire territory, within which they have the content-independent authority to impose whatever rules it wants, obliging residents to conform to its ideological preferences. It is not implausible to imagine ideologically motivated individuals bequeathing parts of their estate to promote the long-term influence of political causes in which they believe. This strategy would seem especially appealing under right-libertarian anarchism, where the authority of the landowner is not bound by the supreme authority of a state.

Such intentional accumulation of land has actually been practiced as a political strategy historically. The most notable example is probably the Jewish National Fund, which was founded in 1901 to purchase and develop land in Ottoman Palestine, providing it as long-term leases for Jewish people making Aliyah. The fund's estate grew from 22 km<sup>2</sup> in 1920 to 516 km<sup>2</sup> in 1940 and further to 936 km<sup>2</sup> in 1948, or approximately 4% of all land in the British Mandate of Palestine.<sup>98</sup> However, the fund has become controversial due to its policy of reserving land for Jewish people only and its refusal to sell or lease land to Palestinians, thereby illustrating not only the potential for land accumulation but also some of its possible exclusionary effects (Leon 2005).

The only way to counteract these perpetual accumulations of land, without coercively and illegitimately conquering their territory, would be to refuse to sell them any land and to preemptively purchase as much land as possible to keep it out of their hands. While this approach would not diminish the existing holdings of the accumulators, it could contain them from future expansion. Nonetheless, such a strategy would merely give rise to another institution perpetually accumulating land. As such, it would just accelerate the rate at which land was acquired and kept out of the market until the entire surface of the globe is held by some party refusing to sell to others. Thus, while all land would not be held by a single landowner, it would be held by a relatively small number of landowners, all precluding new entrants from acquiring territory of their own, thereby mirroring our current international system of nation-states, with each mutually exhausting every corner of the globe.

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<sup>98</sup> After Israel acquired statehood, the fund was not dissolved but largely repurposed toward developing land conquered during the War of Independence. The organization still exists today, owning some 13% of public land in Israel (Leon 2005).

To summarize the argument, the right-libertarian seems committed to the view that a system of many small landowners would be analogous to a system of micro-states. Moreover, micro-states that systematically reinvest part of their tax revenue into purchasing more territory could achieve perpetual compound territorial growth. Thereby, they could expand indefinitely, both in terms of absolute landownership and relative share of land, and over time be able to grow into a full-scale nation-state. While I have argued that this monopolistic feature of landownership could lead to an unequal distribution of land, it could also be leveraged for more egalitarian ends. In Chapter VIII, I propose that geists could utilize this feature of landownership to create a more egalitarian distribution of rents, independent of state policies.

#### V.3.4. The Argument from Collusion

While the previous sections argued that concentration of landownership can arise as individual landowners grow over time, whether intentionally or unintentionally, large concentrations of landownership could also emerge due to landowners intentionally merging their estates. Essentially, this would constitute a social contract where landlords covet some incidents of their landownership to a joint corporation, thereby creating something akin to a federative state. Interestingly, such a social contract based on territory was also used by John Locke to explain the authority of states (Locke 2003, secs. 116–7, 120–21).

Why would landlords be incentivized to do so? Recall that the right-libertarian argument relies on the assumption that a world where landownership is dispersed would be much less exploitative than one in which landownership is concentrated. One possible explanation of this, as discussed above, could be that a single major landowner (but no individual minor landowner) can afford to keep land idle, thereby pushing the margin of production to less productive lands and increasing rents. Hence, such a situation would present the minor landowners with a cooperation problem. Each would prefer marginal land to be kept idle, but no one is able or willing to bear the cost of this. To the extent that this is true, there would be a profit motive for the minor landowners to organize into a cartel federation of landowners. Each landowner could consent to provide the federative body with some resources with which it can keep marginal land idle, and the right to sanction landowners who shirk from paying this fee. For all practical purposes, such a federative body would hold the same amount of territory and the same monopolistic power as a single major landowner. In effect, this collusion would amount to a social contract, giving rise to a new federative state.

Unlike traditional social contract theories, it would not require the consent of the tenant-citizens governed by the state, but only the consent of the landlords owning land within the federation's territory. This landlord's contract seems especially pernicious, as it is not formed by, or in the interests of, its

citizens, but as an intentional collusion against them. Of course, one could claim that the tenant-citizens implicitly agree to the rule of the federation by immigrating to it or staying within its territory. We generally assume that people are under an obligation to obey the rules of a homeowner when guests in their house. However, as anarchists often point out, this “love it or leave it” argument does not seem very persuasive unless the costs of exit are bearable and there is somewhere to leave to (Chartier 2011b, chap. 1; Huemer 2013, chap. 2; Sartwell 2008, chap. 2). If all territory is either uninhabitable or controlled by someone else, this would not be the case. Indeed, the collusion would be created with the explicit aim of limiting exit options by occupying marginal land.

Nevertheless, it appears perfectly within the rights of landowners to subsume their realms into a larger federation. By coveting their land to the federation, they do not infringe upon anyone else’s property rights. One could even posit that a social contract made among the landlords of the realm would be more enduring than a social contract made only among its future subjects. Even if we grant that a social contract would be formed among all the future subjects of a state, it seems that this contract would only bind its original signatories. We would normally assume that parents cannot make binding promises or contracts on behalf of their children. Consequently, such a contract would have to be renewed with every generation (Spooner 1870, sec. I). However, by donating one’s property, or some incidents of it, to a non-natural entity, one can impose authority over the territory, stretching into perpetuity. Just as a landowner may donate some of their territory to e.g., a monastery for all perpetuity, without the consent of their future descendants, they seem able to donate incidents of their land to the federation for all perpetuity, thereby binding any descendants staying on the land (Locke 2003, secs. 116–21).

Perhaps the right-libertarian could retort that such a landlord’s cartel would be unstable due to the collective action problems inherent in the situation. Cartels are unlikely to form and endure in competitive markets due to two major factors undermining them. First, they suffer from internal pressure. While each landlord may prefer having the federation rather than not having it, they would all prefer not to bear the cost of the federation than to bear it. Thus, regardless of whether the other members of the cartel defect, it is in the interest of every individual member to defect themselves. This creates a prisoner’s dilemma, where each member of the cartel is incentivized to defect. Secondly, cartels suffer from external pressures. Even if the cartel can enforce internal discipline, it may still be vulnerable to new entrants to the market. Due to the monopoly profits created by the cartel itself, there will be a profit motive for new entrants to enter the market and undersell the cartel. Consequently, successful cartelization tends to require state interference to enforce cartel rules, not as self-enforced edicts, but as coercively enforced laws. Hence, the cartel can deter members from defecting while also imposing these standards on new potential entrants. While a cartel is unlikely to survive by self-enforcement

alone, it can prevail with the aid of coercive government regulation (Huemer 2013, 257–58).

However, neither internal nor external pressure would be efficient in breaking up a land cartel. The counter-argument misses the fact that the situation ceases to be anarchic with the creation of the cartel. Given that the federation is granted the right to enforce cartel rules on its members, the federation itself would become the state necessary to maintain compliance with the cartel. This coercive enforcement of cartel rules seems perfectly compatible with the rights of landowners, as it is voluntarily adopted by the members of the federation themselves. Since they have coveted their land to the federation for all perpetuity, the federation seems to have the full right to sanction any landlord who fails to uphold their contractual obligation to the federation by violating its rules. One might object that the landlords would be unwilling to accept such infringement on their autonomy, and would thus be reluctant to form a coercively enforceable cartel. However, experience shows that cartels have repeatedly been willing to seek government enforcement of their rules, even at the expense of their autonomy (Childs 2011; Kolko 1963, 1965). Furthermore, as stipulated, the benefits from colluding would increase rents significantly. I, therefore, believe that a landowner's cartel would be able to handle issues with internal pressure to defect.

Would it also be able to deal with external pressure? One distinction between the federation and other state-enforced cartels is that, while the federation can enforce rules on its own members, states can also impose these rules on non-members, thereby insulating the cartel from external competitive pressure. However, as competitors to the federation have not consented to its rules, the federation has no right to impose its rules upon them. Nevertheless, there are other reasons to believe that external competitive pressures would fail to break a cartel of landowners.

External pressure is only possible within an open market featuring free entry. However, as the supply of land is fixed, this will not be a concern for a land cartel. Since it is impossible to create new land from nothing, the only way to enter the market for land is to purchase land from someone who is already occupying it. Nonetheless, if all land is already controlled by the cartel, the only way to become a landowner would be to join the cartel. Therefore, the cartel is unlikely to lose any market share in the land after its initial creation.

What if some landowners stayed out of the cartel from the very beginning, benefiting from the increase in rents without contributing to the upkeep of the federation? I believe that such non-cartel landowners would be unlikely to undersell the cartel. The rental level for these non-cartel landowners is still determined by the relative advantage of their land compared to the land at the margin of production. Thus, whether they themselves are part of the cartel or not would not influence the level of rent that they demand from their tenants. The only difference is that they would have a higher profit margin, as they

would not be required to pay any upkeep of the cartel. While this might be frustrating for the upkeep-paying cartel members, it would not undermine the cartel itself, as long as the benefit generated by the federation still outweighed its costs. Once again, as the supply of land is fixed, this increased profit margin of non-cartel landowners could not be translated into increased market share in land, and would thus not threaten the cartel.<sup>99</sup>

In conclusion, a landowner's cartel could be very problematic from an anarchist perspective, even if it does not control the entire market. This might become clearer once we consider the fact that these landowners' cartels are supposed to be analogous to states. Within the international system, there is currently no single state but rather a patchwork of some 200 different states. If it were true that a landowner's cartel would have to control an entire market in order not to be outcompeted, it seems that a single state would have to control the entire surface area of the globe in order not to be outcompeted by other states. Clearly, this is not what we see. Whatever competition we see between states is clearly insufficient for them to function like a free market by any reasonable anarchist standard. Moreover, even though the world is currently divided between a multitude of states, we see them colluding with each other at least as much as they are competing, for example, via international trade regulations and intellectual property rights regimes. Therefore, in the absence of free entry to the market in land and territory, we are unlikely to see sufficient competition between governments to prevent them from becoming problematic monopolies.

## V.4. Counter-Arguments and Issues

### V.4.1. On the Cost of Land Ownership

In the previous section, I posited that there is a risk of land concentration under right-libertarian rules of landownership, rendering right-libertarian anarchism unstable. The argument assumes that the growth of these landlords is virtually unlimited. However, libertarians often argue that firms, without state privileges, are unlikely to grow large enough to monopolize entire industries. While there are often economies of scale in production, there are also often diseconomies of scale. Thus, the optimal size of a firm would be where the marginal benefit of economies of scale equals the marginal cost of diseconomies of scale.

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<sup>99</sup> In this context, it is worth noting that the world's most successful cartel, OPEC, is essentially a land cartel. Oil is a form of naturally occurring resource and can be considered a form of land. Since oil cannot be created, it is difficult for new entrants to enter the oil market and sell it at production cost, which insulates OPEC from external pressure. Hence, OPEC has managed to survive, despite lacking state-enforced internal compliance mechanisms.

States artificially increase this limit with privileges that benefit large-scale firms, for example, by socializing the cost of transportation and protection of property rights to taxpayers (Carson 2008; Weiland 2011). Following the same arguments that many libertarian economists have formulated against central planning within the state, radical libertarians argue that central planning within firms becomes increasingly irrational as they grow in scale. As information becomes more dispersed throughout the organization, it becomes less reliant on contextual or tacit knowledge, instead becoming increasingly sluggish and dependent on stripped-down, formal communication, thus becoming less efficient compared to smaller competitors (Carson 2008, 2011a; Hayek 1945; Long 2008b; Scott 1999). The knowledge problems inherent in central planning are not unique to state planning but also arise in large-scale organizations, including monopolistic firms and cartels.

If this extension is correct, then the Mises analysis also supplies us the answer to the age-old criticism leveled at the unhampered, unregulated free-market economy: *what if* all firms banded together into one big firm that would exercise a monopoly over the economy equivalent to socialism? The answer would be that such a firm could not calculate because of the absence of a market, and therefore that it would suffer grave losses and dislocations. Hence, while a Socialist Planning Board need not worry about losses that would be made up by the taxpayer, One Big Firm would soon find itself suffering severe losses and would therefore disintegrate under this pressure. [...] If, then, calculation problems begin to arise as markets disappear, this places a free-market limit, not simply on One Big Firm, but even on partial monopolies that eradicate markets. Hence, the free market contains within itself a built-in mechanism limiting the relative size of firms in order to preserve markets throughout the economy. (Rothbard 1976, 75–76)

Using these arguments, one could assert that landlords, like any other firm, would be unlikely to grow indefinitely within a stateless society.<sup>100</sup> I believe that these considerations provide libertarians with a strong argument against the rise of monopoly firms within competitive markets. However, I believe that the argument is less convincing in the particular case of landownership.

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<sup>100</sup> It is important to note that even if the argument succeeds in proving the economic proposition that perpetual accumulations of land are unlikely to arise under anarchism, it will still concede the normative point that such state-like concentrations would be legitimate if they were to arise. However, this might strike us as somewhat unsatisfactory. Preferably, we would want a full anarchist normative political theory that not only explains why states are unlikely in non-ideal theory but also why they are illegitimate in ideal theory. As mentioned above, this issue is especially pressing if we considered the argument that the cost of enforcing property rights would undermine concentrations of property. Even if this would prevent the accumulation of land under non-ideal theory, where people often fail to act on their moral obligations, it would still imply that concentration could occur under more ideal theoretic circumstances where there were no property rights violations at all. It seems weird that a normative rule would only be desirable as long as it was violated on a regular basis.

The reason for this is that rents are not determined through competition with other landlords, but rather by a site's relative advantage over the margin of production. Consequently, larger landowners do not have to worry about being undersold by or losing market shares to smaller competitors. As long as the rents cover the basic expenses of rent extraction, the landowner will be able to make a profit. In other words, for the argument to work, it must not only show that smaller landlords are more efficient than larger landlords but also that the marginal cost of extracting rents would exceed the marginal rental income. Therefore, even if there are increasing costs associated with property protection or managing an increasingly irrational administration, it is by no means clear that these expenses would deter land accumulation. This is especially true considering that right-libertarians must assume that there are increasing marginal returns to landownership, if they want to maintain that large concentrations of landownership would be more extractive than a system of many small landowners.

Ultimately, the natural limit to the size of a landlord's territory is an empirical question, which is difficult to answer without data from actual stateless societies. However, while we cannot directly study landowners in stateless societies, we can study other types of sovereign landlords, namely territorial states. Like landowners in stateless settings, territorial states must internalize the costs of tax-funded expenses, such as control of the territory and transportation. Additionally, just like other large organizations, states become increasingly dependent on formal communication and planning as they grow. Therefore, if the counter-argument is correct that the cost of controlling land would balance or outweigh the rental income of land, thereby deterring land accumulation, it seems plausible that it would also deter states from accumulating too much territory. If this were the case, we would only see small states, leaving significant amounts of territory idle or unsupervised to avoid the cost of protecting it.

In some places, the cost of extracting rents might exceed the benefits. Consider the example of *Zomia* in upland Southeast Asia. Over millennia, the rugged and inaccessible area has been inhabited by people consciously trying to avoid state legislation (Scott 2009). However, while this might count as evidence that some areas of the globe would remain uncontrolled by large absentee landlords, it could also be rather unsatisfying from an anarchist perspective. It would delegate libertarian social organization to areas at the margin of production, while reserving any more hospitable areas for more authoritarian regimes. While there may be areas where the cost of rent extraction exceeds its benefits, the vast majority of the globe's surface seems to generate sufficient rental incomes to cover the expenses of its enforcement.

To summarize, there is little reason to believe that landlords in a stateless society would be less incentivized to extract rents than contemporary states, as the cost of extracting rents is already internalized within these states. Since



states choose to extract rents from virtually all of the earth's inhabitable surface, there is good reason to expect that landlords in a stateless society would do the same.

#### V.4.2. Restricted Property Rights

Another possible critique of my argument is that it assumes that property rights are absolute. However, many libertarians advocate for more restricted notions of property rights. One could argue that under these more restricted notions, land would be less prone to concentration, or that vast concentrations of land would be less harmful. In this section, I consider and reject both of these claims.<sup>101</sup>

The notion of restricted property rights can be connected to Locke's famous proviso that original appropriation is only legitimate under the condition that one leave "enough, and as good, left in common for others" (Locke 2003, sec. 27). However, there is much disagreement concerning how to interpret this proviso. From a left-libertarian reading, "enough, and as good" should be read very literally, meaning an equal per capita share of land should be left for others. However, if we accept this strict reading of the proviso, the position would collapse into left-libertarianism. Consequently, right-libertarians tend to advocate for less stringent interpretations of the proviso.

The most famous such interpretation is Nozick's position, which suggests that private appropriation of land is legitimate under the proviso that it does not make anyone worse off compared to a world without private property at all. Accordingly, private property is only legitimate as long as everyone meets some minimal threshold of welfare. However, Nozick also contended that this condition is always met in modern societies, as the mutual benefits from private property and trade ensure that even those who are worst off in modern societies are better off than they would have been in pre-modern property-less societies (Nozick 1974, 177–82).

Alternatively, one could posit that landownership should be restricted by a "right to roam," which restricts the power of landlords over tenants and roamers. Essentially, such a right to roam provides the general public with a right to access private or public land without the landlord's permission. Such access often includes actions such as the right to hike, camp, and forage. However, it prohibits the roamer from littering, harming the environment, generating noise and disturbance, residing long-term, or substantially economically exploiting the land (Johnsson 2010).

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<sup>101</sup> One form of restricted property rights, namely occupancy and use norms favored by many mutualists, does seem to put an effective restraint on absentee ownership and concentration. However, the view is often defended as a mechanism for equalizing access to land. Consequently, I interpret it as a form of left-libertarianism, rather than as a defense of right-libertarianism. I discuss this view in more detail in section VI.5.2. below.

Interestingly, these provisos can be interpreted within the framework of the law of rents, which holds that the rental value of a site is determined by the site's advantage compared to the margin of production. The margin of production, in turn, is determined by the best land that could be had rent-free. We could understand the right of roam as providing an option for rent-free subsistence level foraging. If rents exceed the difference between living as a rent-paying tenant and living rent-free as a forager, tenants would likely opt for rent-free subsistence foraging instead. Nonetheless, to acquire any comfort above the level of foraging, such as building a permanent residence or cultivating the soil, one would have to pay rent.

However, since these rents would still be an effortless income, which could be invested into purchasing more land, it seems that they would still enable the concentration of landownership. We can express the argument more generally in the following terms. All different interpretations of the proviso could be expressed on a scale ranging from 1 to 0. A rating of 1 would represent absolute property rights, generating the highest possible rental income, while 0 would represent no property rights, or perfectly equal access to land, with no rental privileges for landowners. Between these extremes, we can imagine an innumerable number of different interpretations, generating some, but not optimal, rental incomes. For example, assume that the right-to-roam interpretation of the proviso is located at 0.8 on our scale, enabling landlords under this property regime to generate 80% of the rent they would have generated under absolute property rights.

Interpreting these restrictions as multipliers illustrates why the counter-example does not undermine the arguments that landownership concentrates over time. The arguments do not rest on the assumption that property rights are absolute, or equal to 1 on our scale, but only on rents being above zero. As long rents are above zero, landlords will be able to make some effortless rental income and reinvest this income into purchasing more land. If the property rights are so restricted that landlords will not have any privilege, they will not be able to make any rental income, setting our multiplier to zero.<sup>102</sup> In such a scenario, they are no longer landowners in any meaningful sense. Thus, if the multiplier equals zero, the theory is no longer right-libertarian. If the multiplier is at any level above zero, including but not restricted to 1, the theory would still be within the scope of the argument. Consequently, restricted property rights could also be concentrated over time.

That being said, the right-libertarian could still maintain that major concentrations of landownership would be much less problematic if the property rights of these landowners were restricted. The condition that landlords must

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<sup>102</sup> Notice that it would not reduce the time required for the centralization of landownership. Land purchase costs are a capitalization of the land's rental value. Thus, if rents fell to 80% of its original value, then so would the prices of land. While landlords would have less rental income to invest in purchasing more land, the prices of such purchases would also decrease proportionally.

ensure that everyone is better off than they would have been without property, or allowing everyone a right to roam, could mitigate the authority of landlords. Under either of these positions, landlords would not be allowed to reduce tenants to material conditions below that of nomadic foragers, making these restricted property rights a clear improvement compared to absolute landlords.

Nonetheless, while it mitigates the issue of landlord authority, it does not seem to entirely solve it. These systems of restricted property rights would guarantee tenants a standard of living similar to nomadic foragers, but they would have no claims above this level. Anyone desiring a material living standard above that of a forager would still have to pay rent and submit to the authority of a landlord. While landlords could not exploit them to the point of making them worse off than foragers, they could exploit them to the point that they are as badly off as foragers. In other words, it creates a sufficientarian criteria, or a floor for well-being, below which landlords may not push their tenants. However, these landlords would still be able to extract any wealth above this sufficientarian floor.<sup>103</sup> While we would agree that tenants should keep enough to sustain themselves, this criterion hardly seems morally sufficient or desirable.

Furthermore, even with these restricted rights, it appears that large concentrations of sovereign landownership would still take on state-like features, putting it at odds with anarchism. As argued above, these limited property rights would suffice for the concentration of landownership. According to the proviso-right-libertarian, these concentrated territorial rights seem perfectly legitimate as long as people are free to roam the territory or have a material standard of living above that of hunter-gatherers. However, by any reasonable anarchist standard, none of these conditions seems to be sufficient to justify states. Obviously, one does not have to be an anarchist to condition the legitimacy of states. Virtually all political theories would agree that states violating basic human rights are illegitimate, without thereby embracing anarchism.

In other words, as states can be understood as sovereign landlords, the conditions under which landownership is permissible would also be conditions under which states are permissible. Thus, if we take the anarchist position of categorically rejecting states, it seems also logical to reject landownership categorically. I, therefore, conclude that my argument does not only apply to absolute notions of property rights, but also to restricted notions of legitimate landownership.

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<sup>103</sup> Ultimately, I do not think that any of these criteria for restricted property rights have a significant economic impact. According to Lassalle's "Iron Law of Wages," absolute landlords would be incentivized to set rents at the level of sustenance of their tenants, leaving them just enough resources to survive. Landlords would not be incentivized to set rents below this level, as it would needlessly cut profits. Similarly, landlords would not set rents above this level, as that would starve their tenants, making them unable to pay rent in the future (George 1898b, 292).

# Chapter VI – A Geoist Critique of State Authority

## VI.1. Introduction

In Chapter IV, I argued that states can be analyzed as sovereign landlords. Consequently, I posited in Chapter V that anarchists, who reject states, should also reject landownership. In this chapter, I reverse the analysis and contend that geoists, who reject landownership should also reject state authority.

As a normative principle, geoism is the view that producers are entitled to their produce, while everyone has an equal claim to land not created by anyone (George 1898d, 280). As a political program, geoism has traditionally been understood as the “Single Tax” position that states may legitimately finance their various expenses through taxing land, but not labor or savings (cf. George 1898c, 404, 454). In this chapter, I argue that the former principle, rather than justifying the latter political program, is actually in tension with it. According to the best interpretation of the geoist principle, the land belongs to the discrete individuals constituting the society, rather than to the state. Hence, unless consented to by these discrete individuals, the state does not have authority to rule the land, or the right to appropriate its rental income for its own purposes. Therefore, rather than justifying a specific form of state revenue, the geoist principle seems to challenge the authority of states, calling for anarchism.

More specifically, this chapter investigates the relationship between geoism and *philosophical anarchism*, which can be distinguished from political anarchism, discussed in the following chapter. Consequently, this chapter asks whether states are legitimate from a geoist perspective, without addressing what a non-state geoist society would look like, or whether it would be feasible.

This chapter is divided into four sections. In the first two sections, I consider two explicitly geoist arguments that could be used to legitimize the authority of states. More specifically, these arguments aim to show that geoists, in particular, have grounds to accept states, and that geoist single tax policies are more legitimate than non-geoist policies. The first argument posits that states may legitimately collect rent because the value of land is primarily derived from the positive economic externalities and public goods provided by the state. Therefore, rent collection can be considered a payment for services

rendered, rather than mere wealth extraction. The second argument contends that land belongs to everyone equally and jointly, suggesting that it ought to be managed via a common government. I argue that these interpretations fail to provide a compelling justification for geoism or states.

Instead, I defend the equal share interpretation of geoism, according to which land, or rent, should be distributed on an equal per capita basis. In the third part of this chapter, I assert that this interpretation of geoism is favorable to philosophical anarchism. Since the territorial control of states can be considered a form of landownership, it can only be legitimate under the condition that territorial control is distributed on a per capita basis. Hence, the position indicates that rents and land belong to individuals rather than governments, making taxation and legal restrictions on people's access to land illegitimate.

While my discussion is framed in terms of geoist theory, it has obvious connections to the broader debate on political obligations and philosophical anarchism in general. The argument stemming from public goods can be understood as a version of the "fair play theory," according to which we owe a duty to contribute our fair share to cooperative mutually beneficial enterprises, thus obliging us to contribute to and obey beneficial policies.<sup>104</sup> On the other hand, the argument based on joint ownership can be seen as a "natural duty theory," as it arises due to our natural duty to create free, equal, and reciprocal social relations. Furthermore, both arguments can be interpreted as "consent theories," according to which individuals incur political obligations by consenting to be governed by the polity. I argue that the geoist fair play argument fails, and that both our natural duties and consent seem better preserved under equal share geoism, which itself seems to warrant philosophical anarchism.

In the next chapter, I discuss the possibility of generating a geoist distribution of rents within an anarchic society, independent of state institutions. However, these institutions might be unfeasible, in which case we need some theory of a second-best option. In the final section of this chapter, I consider two candidates for such second-best options. These include geoist state institutions that are justified without asserting authority, and non-state institutions that equalize landownership without relying on geoist mechanisms of redistribution.

## VI.2. The Argument from Public Goods

Within the broader geoist tradition, two different economic and normatively relevant aspects of land are often emphasized. The first feature is that the *land*

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<sup>104</sup> The fair play theory is sometimes made distinct from a theory of gratitude toward the state, but for my argument, these two theories can be treated as essentially similar.

*itself*, by definition, is *not created*. The latter feature is the fact that *land values*, to a significant extent, are *socially created*. In this section, I will discuss the extent to which this latter fact can be used to justify geoist states.<sup>105</sup>

Due to its immobility, land values tend to reflect and capture the spatial externalities of the site where it is located. Imagine, for example, that you have a plot of land located in the rural countryside. Over time, the area is developed into a huge metropolis, but the plot itself is left undeveloped. Now, while the internal features of the plot, such as area, soil quality, and local weather conditions, remain identical, its economic value would have soared. The only factor which can explain this change would be its spatial externalities. We can consequently think of rent as the price we pay for the quality of the local community and its provision of public goods (George 1898b, 291–92).

However, this observation has both important economic and normative implications. Normatively, one could claim that these land values ought to belong to the community that created them and be collected through land value taxation. Unlike other types of taxation, these rental fees are not merely an arbitrary extraction of wealth from citizens. Rather, they can be thought of as a fee charged for the services provided by the community. In other words, it is a payment for the specific benefit of residing in the community, which we could assume that the taxpayer finds acceptable. If not, they can choose to relocate to land lacking these benefits, without incurring the associated costs. Consequently, land taxation is a uniquely justified form of state revenue (Harrison 1994).

Geoist economists have pointed out that once collected, these revenues can be used to finance public goods, further increasing land values. For example, public transportation, or local security and sanitation are all public goods that contribute to the desirability of an area, thereby increasing its rental values. The Henry George Theorem states that the optimal level of expenditure on public goods is reached when the marginal expenditure on public goods equals the marginal increase in rents, making them fully self-financed through the increased rents they generate (Arnott and Stiglitz 1979; Hotelling 1938; Stiglitz 1977; G. M. Tucker 2010; Vickrey 1977).

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<sup>105</sup> Many geoist see both of these features as morally relevant, defending a mixed position according to which the pure natural value of resources ought to be distributed on a per capita basis, while the additional value created by social development ought to be internalized to those generating these values (Kyriazi 2000, 16; Tideman 1994, 130–35). Since this position would distribute some resources on a per capita basis, it would still allow the opportunity to opt out, and hence be compatible with the broader anarchist argument in this thesis. Furthermore, taking the argument from VI.2.2. into account, it would also be compatible with a world of competing public goods agencies, each funding its activities with the increased rents generated by its activities. Consequently, this section focuses on the position that all rents should be used to finance public goods, leaving no rents for individual per capita shares. Notice, however, that the arguments from VI.2.1. and VI.2.3. seem to pose a challenge not only for the “pure” social creation view but also for the mixed view. As discussed in VII.4.5. below, this might also lead to a situation where land prices increase faster than individuals’ rental dividends, thereby pricing people out of their ability to acquire their per capita share of land.

Similar reasoning underlies the proprietary communities theorized and defended by Spencer Heath and his grandson Spencer Heath MacCallum. They “stood George on his head” by seeing landlords not as idle rent extractors but as legitimate entrepreneurs providing public goods driven by a profit motive. Much like a state could increase its land taxation by providing better public goods, an entrepreneur owning a large area could increase its rental yield by developing its public goods. Examples of such proprietary communities include hotels, where the rental fees charged for individual rooms are used to finance the public goods found in common areas, such as hallways and lounges. However, the same principle could be scaled up to entire communities (Heath 1957; MacCallum 1970; cf. Foldvary 1994b, 2004). While such proprietary communities are sometimes considered semi-anarchist non-state ways of providing public goods, I think that it is more accurate to think of them as micro-states rather than non-state areas. This is because they are a form of sovereign landlords, able to monopolize governance within their territory. Consequently, if they are indeed legitimate enterprises, we could think of them as a form of legitimate state, and thus a counter-example to philosophical anarchism.

In a nutshell, the argument consists of two premises: first, that rents are positive externalities created by the community, and second, that positive externalities should be internalized to their creators, implying that rents should be internalized to the community. Notice, however, that while many geoists and left-libertarians point to the social creation of land values as a reason for land value taxation, this argument is rarely made explicitly in relationship to the literature on political authority or state justification. Thus, rather than being an argument that frequently occurs within this literature, it should be clear that this is intended to be a reconstruction of a possible position on my part. Even if the position is not frequently found in the literature, it is worthwhile to explore for the purpose of this thesis, since it would explicitly connect geoism with questions concerning political authority.

Interestingly, we could understand this both as an argument for state authority and state justification. Read as an argument for state authority, it can be understood as a version of the fair play<sup>106</sup> or gratitude position, asserting that we have a duty to contribute our fair share to the upkeep of those public goods that we enjoy (cf. H. L. A. Hart 1955; Klosko 2005; Rawls 1999). However, the argument can also be understood as claiming the geoist tax on land as a uniquely justified way of financing public goods. Even if philosophical anarchism is correct, that states do not have the authority to impose content-

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<sup>106</sup> Alternatively, one could interpret the argument as stemming from consent theory. Since people may move into or away from areas with certain public goods, they have some influence over what they pay for, making it more consensual. I return to the question of consent in VI.4.1. below, arguing that consent theory seems to require that everyone has equal access to land, thereby favoring the per capita interpretation.

independent duties on their subjects, one could still argue that there is a content-dependent duty to internalize the benefits from positive externalities and use this as a way to justify state expenditures. Hence, this position would be able to combine philosophical anarchism with rather extensive, justified, geostat states (cf. Vallentyne 2007).<sup>107</sup>

However, regardless of whether one reads it as an argument in favor of state authority or merely justifying land taxation, I argue that there are three issues challenging the position. First is the problem that not only land values but also many other economic values are socially created. Secondly, I posit that the argument relies on an equivocation of the term “community.” Thirdly, we usually do not think of externalities in the sense supposed by the argument. Thus, if one were to pursue this type of argument in favor of state authority, these three challenges must be dealt with.

### VI.2.1. Counter-Argument from Over-Generalization

Geoism is not only the position that rents should belong to the community but also the position that rents and only rents should belong to the community. Geosts see land taxation not just as justified but as uniquely justified (George 1898c, 404, 1898d, 280). Consequently, the geostat not only needs the conclusion that rents should be internalized to the community, but also that rents and only rents should be. To draw such a conclusion, we would have to adjust the first premise of the argument to state that rents and only rents arise due to positive externalities. But this seems false.

While it seems true that land values largely depend on externalities, it does not follow that externalities can only be found in land values. To a large extent, the value of our labor and our savings is magnified by the broader social context within which they can be exchanged, not to mention all the accumulated knowledge and inventions across generations. Just as we can consider the increase in rental value occurring as the vicinity of a plot is developed from rural to urban as an implication of positive externalities, this also seems true for the difference in production between someone producing under isolated autarky, and someone producing within a broader economy where they can benefit from a division of labor and specialization. The value of ten people working together is greater than the sum of ten people working independently. Exchange value, per definition, must be social.

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<sup>107</sup> Vallentyne develops an interesting argument relating to these issues. Essentially, Vallentyne defends the equal opportunity for the welfare version of left-libertarianism, discussed in II.3.2. However, he argues that this gives us reason to maximize the long-term value of rents to be distributed to those in need. According to him, this could best be achieved by investing rents in public goods that increase net rents. While his argument has interesting parallels with the position discussed here, it is ultimately based on the position that rents belong to those who are naturally disadvantaged, rather than to the creators of these positive externalities.



If we are willing to say that the community is entitled to the increase in rents caused by externalities, it seems we should also say that the community is entitled to the increase in wages caused by externalities, such as technological inventions and benefits from divisions of labor. In other words, it seems that the argument that externalities should be captured by the community generalizes not only to rents but also to all production, thereby generating an argument for full communism rather than geoism.<sup>108</sup> Consequently, it seems that the argument fails to justify the basic geoist position that land and only land may be taxed.

Similarly, while it is true that land values can largely be attributed to local public goods, it seems false that all land values should be attributed solely to them. For example, imagine a scenario in which several people are shipwrecked on a deserted island, or a scenario in which volcanic activity causes a new landmass to rise from the ocean. These islands would have economic value, despite being completely undeveloped. Similarly, it seems that any given piece of land would still have some economic value in a counter-factual scenario where its area was completely undeveloped. Since this value cannot be solely attributed to any positive externalities, the argument does not explain why they should be internalized to the community.

Of course, one could pursue an intermediary position according to which the natural value of land is distributed on an equal per capita basis, while only the additional value created by social development ought to be internalized to those creating these values (Kyriazi 2000, 16; Tideman 1994, 130–35). This position would be more appealing, but it also seems to pose less of a challenge against anarchism. In section VII.3., I argue that a characteristic feature of geo-anarchism is that everyone would be able to use their share of land to opt out from states. Since this position would similarly provide everyone with some portion of land which they could opt out to, it seems to align broadly with the larger argument of this thesis. It is worth noting, however, that even though this intermediary position seems more plausible than the position holding that all land values are socially generated, it is still susceptible to the three challenges discussed in this section.

Thus, I believe that the geoist argument, positing that land is an economically and normatively unique factor of production, should not be based on the fact that rents are socially created, but rather on the fact that the land itself is not created.

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<sup>108</sup> For example, Kropotkin used this type of argument, among others, to justify his anarcho-communism (Kropotkin 1906, chap. I: II). Interestingly, Kropotkin's anarchist interpretation of communism also illustrates that one can accept community ownership without also accepting state ownership.

## VI.2.2. Equivocation on the Term “Community”

The second issue with the argument based on public goods is that it seems to equivocate about the term “community.” The premise that rents are created by the community and the conclusion that land values should be captured by the community seem to use the term in two different ways. If the argument is intended to justify or legitimize states, it appears that the conclusion would need to interpret “the community” as a synonym for the state organization. However, while some positive externalities are certainly created by the state, it is inaccurate to assert that all positive externalities are caused by the state.

Many positive externalities are created by discrete private individuals interacting within society. While these individuals are members of “the community” in a broader sense, they are distinct from the state. For example, assume that I run a nice neighborhood pub, thereby increasing the attraction of the neighborhood and hence also its rental value. It is true that these rents are generated by “the community” in the sense that they are created by some individual person who happens to be a member of the community. However, it is incorrect that it was created by “the community” in the sense of the local government. In some sense, even landlords are members of the community. Therefore, even if all land values are captured by local landlords, it still appears to be controlled by a subset of the community. However, this is clearly not a plausible interpretation of geoism.

Thus, the conclusion that all rents should be captured by the government does not logically follow from the premises. If I created some positive externality, then the premise suggesting that rents should be internalized to their producer would imply that these rents should be internalized to me, not to the government. However, this presents a problem for the argument. While the argument could justify the government using rents for public goods, such as security or transportation, it does not make this government *uniquely* justified.

Assume, for example, that a competing private security provider emerges as an alternative to the local police. To the extent that this security provider increases rents through its services, it seems to be just as entitled to internalize these benefits as the state police. Yet, a state is not merely one security provider among others; states hold a monopoly on violence. Thus, the argument fails to explain why states are uniquely justified in internalizing the rental values they create. Rather than justifying monopolistic states, it seems perfectly compatible with an anarchic system of competing protection agencies, each of which could finance their operations by internalizing the increase in rents they generate. In other words, the argument assumes rather than proves that our obligations toward states differ from our obligations toward non-states.

### VI.2.3. Positive Externalities and Obligations

Thirdly, one could question the argument based on public goods by questioning the general premise that we have an obligation to internalize the benefits generated by positive externalities. While one could make an economic argument that it would be beneficial to internalize positive externalities, we usually do not perceive it as an obligation to do so.

We can consider several possible examples concerning this point. For example, imagine that you are walking down the main street, and you pass by some street musicians. While you may enjoy the music, you have not asked for it nor do you stop to listen to it. Even if you enjoyed the music, it seems that you are not obliged to pay the street musicians. Similarly, imagine that I write a stellar review of your new book, thereby boosting its demand and revenue. However, it does not imply that I am entitled to this revenue. Additionally, imagine that I open a doughnut shop next to your coffee shop, leading to an increase in your customers, since people enjoy coffee with their doughnuts. This also does not entitle me to make a claim against your coffee shop to receive a portion of your revenues. Consider a case particularly applicable to the case of land values; imagine that I start a friendly neighborhood pub that increases the attraction of the area, and thereby also local land values. Hence, I benefit the people living in the area. However, we usually would not say that this obligates local homeowners to compensate or obey me.

I believe that these intuitive cases become even more compelling when we consider not only whether one should show gratitude toward one's beneficiaries, but even more importantly, whether one has enforceable obligations to obey or compensate them. While it might be nice of you to pay the street musicians, we would hardly say that some third party has the right to coercively force you to do so. It would have been one thing if you asked the street musicians to perform for you, thereby contracting and consenting to compensate them. However, merely benefitting from their activities does not seem to incur any enforceable debts. This poses a severe challenge to the premise that we are generally obliged to internalize positive externalities to their creators. As Michael Huemer articulates the point more generally:

Normally, it is wrong to threaten a person with violence to force compliance with some plan of yours. This is generally true even if your plan is mutually beneficial and otherwise morally acceptable. Thus, suppose you are at a board meeting at which you and the other members are discussing how to improve your company's sales. You know that the best way to do this is to hire the Sneaku Ad Agency. Your plan will be morally unobjectionable and highly beneficial to the company. Nevertheless, the other members are not convinced. So you pull out your handgun and *order* them to vote for your proposal. This behavior would be unacceptable, even though you are acting for everyone's benefit and even though your plan is the right one. (Huemer 2013, 93–94 italics in the original)

If the basis for our obligation to compensate others is rooted in consent and contractual agreements rather than mere benefit, then this would undermine the premise that we ought to internalize all positive externalities to their producers. If you are not obliged to pay the street musicians, it becomes unclear why you would be obliged to pay the government or a competing non-government security firm for the protection of your neighborhood that you have not consented to. Thus, one could argue that any increase in the value of a site may be legitimately retained by whoever legitimately owns the site. If the land legitimately belongs to some private landlord, then so does its increased value. If everyone has an equal per capita claim to the site, then everyone would gain an equal per capita claim to its increased value. Moreover, if the land is the joint property of the community, then so is its increased value. If so, then the community can legitimately internalize all increased land values. However, this is not because these land values are socially created, but because the land is collectively owned in the first place.

This argument not only challenges the geoist argument based on public goods but also questions the general category of arguments that seek to base political authority on principles of fair play, gratitude, or consequentialism (cf. H. L. A. Hart 1955; Klosko 2005; Rawls 1999). As discussed in section III.2.3., it is unclear whether such factors give rise to enforceable duties unless they are consensually accepted by the recipient (cf. Nozick 1974, 90–95). Furthermore, they do not seem to create duties that are content-independent, comprehensive, or supreme, thus failing to establish authority (Huemer 2013, chap. 5. 4.). Therefore, while we might have a duty to be grateful to people who benefit us, we hardly seem to have an enforceable duty to obey or reimburse them, which undermines the argument from public goods.

Thus, I conclude that there are at least three reasons to be skeptical about the argument that states would be justified in using land rents to finance their activities. First, the argument fails to explain why land taxes are uniquely justifiable, as it seems that other factors of production are also dependent on positive externalities. Secondly, it appears to equivocate on the term “community,” as the most plausible interpretation of its major premise suggests that everyone should internalize the positive externalities they create, while the conclusion asserts that these positive externalities should be captured by the state. Third, the premise that we are generally obliged to pay for any positive externalities we experience conflicts with the way we usually think of externalities and obligations.

However, one interesting implication of these arguments is that the notion that socially created value should be internalized its makers seems to be broadly compatible with geo-anarchism. This also suggests a possible way of financing public goods under anarchism. I return to this issue in section VII.4.5. below.

### VI.3. The Argument from Joint Ownership

According to the joint ownership interpretation of geoism, land belongs to the members of society at large. They must decide together, by some egalitarian collective decision-making process, how to distribute or use it. For example, they might decide on managing it through a majoritarian voting procedure (Fisher 2015; Grunebaum 1987; Vrousalis 2011), by a consensus decision-making process (Steiner 1981, 564; cf. Cohen 1995, chap. 4), or even by lottery, etc.<sup>109</sup> As each person in the process has an equal say in how to use the resource, we can understand the position as an interpretation of the geoist principle that land should be distributed equally. This interpretation of geoism also sheds light on the basis of political authority. If we view states as sovereign landowners, the position that sovereign landownership should be governed via some egalitarian procedure does not necessarily call for anarchism, but a procedurally egalitarian state.

The interpretation can be connected to the Kantian natural duty argument for political obligations. Kant argues that possession and settlement are necessary for human flourishing, but he also acknowledges that the exclusionary aspect of landownership is problematic and requires justification. To solve this dilemma, settlement rights must be sanctified through free, universal, and reciprocal social relationships among peoples, i.e., through a social contract that establishes a procedurally equal state. As one cannot legitimately impose landownership claims unilaterally, these must become “omnilateral” (Kant 1996, 6: 623). Alternatively, one could connect this argument to the consent theory of political obligation, asserting that the egalitarian process governing land enables individuals to live under rules of their own design and to challenge land usage they find objectionable.

In this section, I discuss three counter-arguments to this position. The first is that focusing solely on egalitarian processes appears to sanction extreme forms of landlordism, putting the theory at odds with geoism. On the other hand, if we prefer processes that yield egalitarian outcomes, it seems that the joint-ownership interpretation collapses into the equal-share interpretation. Secondly, I claim that the joint ownership interpretation fails to justify many

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<sup>109</sup> Among these authors, Grunebaum is the clearest example of someone defending the joint ownership view. Vrousalis, on the other hand, defends a mixed account, defending joint ownership, or “libertarian socialism” but only for surplus resources remaining after everyone has received a per capita share that is sufficient for effective self-ownership. As discussed in Chapter II, the sufficientarian view would still enable everyone to opt out to a personal share of land, making it compatible with the broader argument of this thesis and not presenting a counter-example to left-libertarian anarchism. Fisher primarily defends the view that resources should be distributed on an equal per capita basis, but she argues that joint ownership procedures could act as a complementary mechanism for designating some resources or areas protected and unavailable for exploitation. Steiner defends a consensus interpretation of left-libertarianism in an early article, but later abandons it in favor of an equal share view. Finally, Cohen discusses but ultimately does not endorse the consensus view, arguing that it would generate a bargaining position leading to full communism rather than geoism.

traditional geoist positions, such as the promotion of land taxation over wage taxation, or the rejection of landlordism. Finally, I contend that consent is better preserved under exit-based joint ownership compared to veto-based joint ownership. However, exit-based joint ownership presupposes the equal share interpretation. Consequently, I posit that the equal share interpretation of geoism is preferable to the joint ownership interpretation.

### VI.3.1. Substance versus Process

One basic issue with the joint ownership interpretation is that it runs the risk of either becoming intolerably inegalitarian, thus at odds with geoism, or collapsing into the equal shares interpretation. Consequently, I believe that the joint ownership interpretation is only appealing to geoists as long as it broadly conforms to some substantially equal distribution of land. To the extent that it diverges from this, it loses its appeal, indicating that it is the substantive outcomes of the procedure rather than the procedure itself that holds normative weight (cf. Steiner 1994, 216).

To illustrate, consider an example where all available land is distributed via a lottery system. The outcome would depend a lot on the way the lottery was designed. For example, there could be only one winning ticket in the lottery, with the winner becoming the owner of all available land. The lottery is compatible with procedural equality, since no individual has a larger chance of winning the lottery than anyone else. Essentially, such a lottery would make one individual an absolute monarch, while reducing the rest to serfdom. This seems like an odd interpretation of geoism, the goal of which is to abolish landlordism and serfdom alike. While geoism sought to maximally equalize landownership, the lottery has maximally concentrated it.

However, such outcomes could be avoided by dividing the available land into many smaller lots, e.g., by distributing only one unit of rent with each lottery ticket. For instance, if we distribute 100,000 units of rent among 100 people through a lottery, we can statistically expect each person to receive around 1,000 units. Thus, we would avoid the outcome, enabling one person to dominate the others. However, this outcome does not seem very different from the equal share interpretation of geoism, which distributes rents on a per capita basis. Furthermore, if we assume that the lottery system would, by some statistical fluke, distribute all available rents to one individual, it would still seem unacceptably inegalitarian and at odds with geoism. If the procedure is only deemed acceptable when it generates substantially egalitarian outcomes, then why bother with the procedure at all, instead of going straight for the desired outcome?

Perhaps one could object that the problem lies with the lottery procedure, rather than with the procedural accounts in general. Maybe majority voting is a preferable procedure? However, it seems to me that majoritarianism could yield similarly problematic inegalitarian outcomes. For example, a majority

could decide that the winning coalition of 51% should receive all rents, denying the remaining 49% any resources at all. If the majoritarian account is correct, this outcome is perfectly legitimate, and no more desirable than an outcome in which the resource is shared equally. Once again, it seems like this outcome would allow for one class of landlords to live off a class of landless tenants, making it at odds with geoism.<sup>110</sup>

One could even defend the homesteading principle, according to which land can be permanently claimed by the first person to use it, as an egalitarian procedure for distributing land. In Chapter V.3.2., I discussed how such a system could follow the same dynamic as the board game *Monopoly*, eventually concentrating land into the hands of one player. Yet, this concentration is not due to the rules being biased in favor of one player over the others; the game is perfectly procedurally equal. Nevertheless, it is set up in a way that generates very inegalitarian distributions of landownership. Ultimately, the problem with the procedural accounts is that they preserve equality of opportunity for authority. However, in this particular domain, we actually want to preserve equality of outcome (cf. Long 2001).<sup>111</sup>

Consequently, an equal, non-biased process alone is not sufficient to create a just distribution of land. However, it also does not seem to be necessary. If we were to distribute a cake, for instance, and I unilaterally serve myself my per capita piece (or less), I do not seem to wrong others. As my taking a per capita piece is compatible with everyone else taking their per capita piece, it respects free, equal, and reciprocal relationships toward others without being procedurally sanctified by them. It is compatible with the law of equal liberty, which holds that one is free to do as one pleases as long as one does not infringe on the equal liberty of others. Furthermore, if someone were denied

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<sup>110</sup> Perhaps one could argue that the problem in this scenario is not its substantially inegalitarian outcomes, but that it undermines procedural equality itself. If the minority denied land perishes or is reduced to serfdom, their ability to participate as equals in future elections will be severely limited. Consequently, such deprivation does not only infringe on the notion of substantial equality in resources but also undermines procedural equality itself (Dahl 1991, chap. 12). However, I believe that this response is problematically vague and risks proving too much. For example, if a majority of 51% were to claim 52% of available rents, this would also have *some* influence on the political process. It differs only in quantity, not quality, from the majority claiming 100% of available rents. As there is no non-arbitrary cut-off point between them claiming 100% of rents or 52% of rents, it seems that we should condemn any process leading to any outcome that is not perfectly equal. Consequently, it could commit us to a process of distributing rents on a per capita basis.

<sup>111</sup> While Roderick Long is a defender of the homesteading principle, I believe that he expresses a well-formulated possible critique of this view: “The Hobbesian jungle might represent equal *opportunity* for authority, but in *this* context, the libertarian favors equality of *outcome*. (That, incidentally, is why the right to liberty is *inalienable*.) Only *defensive* uses of force are justified since these *restore* equality in authority rather than violating it. By the same token, an idealized democracy in which every citizen had an equal chance to get into a position of political power would also represent only equal opportunity for authority, not equality of outcome, and so would likewise offend against Lockean equality. To a libertarian, the saying ‘anyone can grow up to become president,’ if it were true, would have the same cheery ring as ‘anyone might be the next person to assault you.’” (Long 2001 italics in original).

their per capita piece, it would seem that they were wronged, even if the denial occurred through some omnilateral, equal process (Spencer 1851, chap. IX).

All egalitarian procedures are equal, but some are more equal than others. Specifically, some tend to create substantially equal distributions of land, or rent, while others do not. When choosing between two procedures for distributing rents, there appears to be geoist grounds to prefer those that yield substantially egalitarian distributions of land over those that result in unequal outcomes. Otherwise, we would have to accept the absurd conclusion that an outcome where one individual becomes an allotted monarch over others is on par with any other possible outcome. However, the procedure that generates the most egalitarian outcome would be to simply distribute the land or its rent on a per capita basis.<sup>112</sup> Consequently, the joint ownership or procedural account of geoism seems to either become unacceptably inequalitarian or collapse into the equal share interpretation of geoism.

### VI.3.2. Collapse into Mere Statism

A second argument against the joint ownership interpretation of geoism is that it, upon closer examination, does not seem distinctly geoist at all. The traditional geoist, or “Single Tax” goal, aims to abolish all taxes, except for those on land, asserting that wages and savings should belong to their producers, while rents should belong equally to everyone. However, the geoist definition of rent is not restricted to tenancy fees but includes all economic gains from land. Thus, landlords who charge their tenants a share of their wages, rather than a uniform lump sum, would also be engaging in a form of rent extraction. The gains of these landlords come from their ability to exclude others from the land, not from production. Similarly, such landlords could extract gains from their tenants by stipulating lease conditions that they have to patronize a favored taxi company, thereby creating additional profits for this firm. Once again, these gains constitute rents, as they are derived from the landlord’s landownership, and they would still be restricted by the law of rent. The landlords would be able to levy fees similar to the relative advantage of their site over the best land that can be had for free. If they levied rents above this level,

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<sup>112</sup> We can think of a market as a participatory democratic system for making collective decisions concerning production and consumption throughout the economy. Each dollar spent on a good functions as a vote in favor of that good over competing products (J. M. Buchanan 1954; von Mises 2006, 158). However, unlike ordinary majoritarian decisions, the market grants everyone several votes, enabling them to express the intensity of their preferences. It would also increase autonomy by disaggregating decisions, enabling individuals to purchase their preferred product while others purchase their favorite, instead of the majority choosing its favorite for everyone. Using this analogy, we can think of rents as the initial set of votes. Distributing this rent unequally would undermine the equality of the process, just like an unequal distribution of votes would in a majoritarian decision-making context. Consequently, we ought to distribute them on an equal per capita basis. Using some secondary procedure, such as majoritarian voting, to distribute rents, would be akin to using some secondary procedure, such as a lottery, to distribute votes among citizens in a majoritarian election.



their tenants would be incentivized to relocate to this freely available land at the margin of production.

As a consequence of this analysis, and the theory positing that the community, as a collective, is the legitimate owner of all territory, *all* taxes can be understood as taxes on land. Ultimately, all taxes come out of rent. The state's ability to tax its residents stems from its control over the territory, i.e., its ownership of land. Just as the ordinary landlord's income would be rent regardless of whether it is collected as a fixed fee for a certain area or as a fraction of the tenant's income, the state's taxation is essentially rent extraction regardless of whether it is charged as a fixed fee for a certain area or as a fraction of its residents' income. While there might be prudential reasons for preferring one type of rent extraction rather than the other, they seem to be extractions of rent all the same, and consequently morally on par by geoist standards. If the community, acting as the sole legitimate landlord, collectively decides to extract rents via taxation on wages rather than a "Single Tax" on land, there appears to be no reason for the joint ownership geoists to complain.

Furthermore, while a legitimate landlord may have the right to extract all available rents from their tenants, they do not seem to be under any obligation to do so. Similarly, states and collectives that own their territory seem to have a right but not the obligation to levy full land value taxes on landowners within their territory. Choosing not to extract the full rental value could be seen as providing an invisible subsidy to the subordinated landowners within the state's territory. However, just as landlords can choose to give away their rental incomes to whomever they like, the citizens of a state appear to have a perfect right to use their rents to subsidize whomever they want, including wealthy landowners. Consequently, the collective interpretation of geoism does not provide any particular moral grounds for states to charge anything resembling a full land value tax.

Thus, the outcome of joint ownership geoism is not recognizably geoist at all. What this joint ownership interpretation of geoism does warrant are absolute democratic states. However, it does not provide any reasons for these states to pursue one sort of policy over another. Paradoxically, the joint ownership interpretation of geoism would render both landlordism and wage taxation perfectly acceptable, given that they are legal within a democratic state.<sup>113</sup> Another way to put it is that the content independence of political authority would undermine the geoist critique of landownership. Such landownership is legitimate as long as it complies with the law of the land. However, as geoists want to condemn landlordism and wage taxation as unjust, they must also reject the notion that property rights are completely conventional.

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<sup>113</sup> This is, of course, not merely a hypothetical possibility. While there are abundant democratic states around the world, all of them derive the bulk of their incomes via other sources of revenue than land, thereby enabling private landlords to capture these rents. For partial exceptions, see (Andelson 2000a). However, if the joint ownership interpretation of geoism is correct, this seems perfectly legitimate, as the states practicing it are procedurally equal.

Therefore, to the extent that geoists want to maintain the view that landlordism and taxation of wages are illegitimate, they must also reject the joint ownership interpretation of geoism.<sup>114</sup>

### VI.3.3. Veto Joint Ownership versus Exit Joint Ownership

Finally, one could argue that procedurally equal states are legitimate, as they are based on the consent of those governed. However, I believe that the joint ownership interpretation fails to guarantee the consent of its members. This issue might become clearer if we compare equal share geoism, where each individual has a right to a per capita share of land, with joint ownership geoism, where each individual has an equal voice in deciding how to govern the land.

Consider the fact that joint ownership and equal share geoism can be transformed into one another. Under equal share geoism, it would be possible for any subset of the population to pool their per capita shares into a voluntary commune, managed through some egalitarian procedure. Conversely, under joint ownership, the egalitarian decision-making procedure could yield an equal share outcome; for example, if the winning coalition in a majoritarian procedure decides to distribute all rents on a per capita basis. The difference between these two situations is that the move from joint ownership to equal shares is only possible if granted by the winning coalition of the decision-making procedure. In contrast, the move from equal shares to voluntary joint ownership would require the individual consent of each member entering the commune. Thus, even if internal decisions within this new commune are made via a majoritarian procedure, it would still be rooted in a social contract based on universal consent (Cohen 1995, 105–6).

Of course, we can imagine a joint ownership system where decisions are made based on unanimous consent, granting each member a veto power over the decision. However, here, it is important to distinguish between two different types of consensus decision-making. Under the first, which I call “exit-based,” consensus is maintained by the fact that dissenting parties have the opportunity to opt out of the decision or association altogether. Under the latter, which I call “veto-based,” consensus is maintained by any single party being able to block any decision, thereby maintaining the status quo or continued negotiations. Under exit-based consensus, any subset, including individual members, can leave the association at will. Conversely, under a veto-based consensus system, disassociation would require unanimous approval from the other members of the association. Consequently, individuals in a

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<sup>114</sup> In other words, I argue that geoists should adopt the “Lockean” view asserting that property rights are natural and logically prior to the adjudication of some state authority, rather than the “Kantian” view that they are conventional (Angell 2019).

veto-based consensus system could extort others by threatening to deprive them of resources, initiating a chicken race toward their preferred outcome.<sup>115</sup>

An underlying system of per capita shares of land seems to be not only a sufficient condition for exit-based joint ownership but also a necessary one. To maintain the ability to opt out from the association, one needs somewhere to opt out to. However, this would be impossible if all land were owned by some collective association. Even if the land were distributed among several different associations, it would only enable people to choose from a limited set of options, but not to opt out from associations generally or to start new ones. The only way to guarantee a genuine right to opt out from any association is to also grant each member some land to which they could opt out (cf. Beran 1987, 32; Tideman 2004). Thus, it would require an underlying equal distribution of land shares, on top of which people can choose to associate into or out of joint ownership. Under such a system, the ultimate right to the territory does not belong to any association, but to the discrete individuals constituting the association. While these individuals might delegate their right to the land to the association, it still ultimately belongs to these individuals.

In other words, the consent of the governed is only guaranteed under exit-based joint ownership, not veto-based joint ownership. While exit-based joint ownership allows each individual to leave at will, veto-based joint ownership empowers one to block others from leaving. Thus, while exit-based joint ownership makes people equal by providing each with power over themselves, veto-based joint ownership makes people equal by compensating for their lack of power over themselves by giving them additional powers over others. Hence, to the extent that we want to preserve the reflexive autonomy of each over themselves, it seems that exit-based joint ownership is much more appealing than veto-based joint ownership.<sup>116</sup>

Thus, I conclude that joint ownership runs the risk of either justifying unacceptable inegalitarian outcomes or collapsing into an equal share interpretation. Furthermore, it fails to address the basic geoist critique of labor taxation and landlordism. Finally, it fails to ensure the consent of its members without relying on an underlying system of equal share geoism. Consequently, geoists ought to reject the joint ownership interpretation in favor of the equal share interpretation.

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<sup>115</sup> G.A. Cohen discusses how those born infirm would be incentivized to use such a chicken race tactic to force those born talented into sharing the fruits of their labor, generating communism not only of rent but also of wages (Cohen 1995, 94–102).

<sup>116</sup> This consideration can be connected to Grunebaum's autonomy argument against equal share geoism. Essentially, Grunebaum argues that this would render individuals unable to control how others use their respective shares of land, even if they are affected by those decisions, thereby undermining their autonomy (1987, 176–78). However, as influence over others' land can only be gained by losing reflexive influence over one's own share, it seems to be a net loss of autonomy.

## VI.4. Equal Shares, Consent, and State Authority

In the previous two sections, I have argued that the arguments stemming from positive externalities and joint ownership fail to justify state authority. In this section, I posit that the best interpretation of geoism, the equal share interpretation, clashes with state authority. I provide two arguments in favor of this view. First is the argument from consent theory. I assert that consent theory appears to require some form of equal per capita distribution of land. However, since there is no such equal per capita distribution of land, states do not hold authority. Second is the argument from equivalence. I contend that the geoist critique of landownership extends to a critique of territorial states, as one could understand the territorial rights of states as a form of landownership. Since landlords are acting unjustly when denying individuals access to land, so are states.

### VI.4.1. The Argument from Consent

According to consent theory, states hold legitimate authority if and only if the individuals subject to this authority have consented to it. However, one fundamental feature of being able to express consent is having the option of dissenting. The notion of consent becomes vacuous if there are no actions one can take to withdraw or withhold consent (cf. Widerquist 2013).

Furthermore, these actions to express consent must be relatively easy and not impose undue costs on those who dissent. For example, it would be unreasonable to suggest that anyone who disagrees with me may express their dissent by cutting off one of their arms or holding their breath for 20 minutes (Huemer 2013, 25–30). It is important to note that the relevant moral consideration for such dissent is not the opportunity cost, but rather whether one has the option to disassociate from the other party. For example, if I offer you a great job, the opportunity cost of declining it could be massive. However, we would still say that your consent is valid since you could avoid association with me. Conversely, if I insist that you can only dissent by paying me one dollar, this would not qualify as a proper means of dissenting because you are unable to decline interaction. Hence, this would be akin to me merely stealing a dollar from you.

Hence, the mere fact that one has a choice does not imply that one expresses consent. When a highwayman demands “your money or your life,” we should not mistake this for a voluntary choice. The action is clearly coercive rather than voluntary. Furthermore, it would not matter if you had a choice between two highwaymen, either of which would take your money. For this situation to become consensual, you also need to have the option to continue on your way uninterrupted.

In other words, consent requires some exit opportunity. In the case of territorial issues, this ability to exit is premised on individuals having somewhere

they can exit to. As bodily creatures, whatever we do, we always have to do it somewhere. Hence, our ability to exit is premised on our having access to some land to which we could exit (Beran 1987, 32). Notice that it seems insufficient that people have a right to exit State *A* to enter State *B*, and vice versa. The inference that your ability to reject *A* in favor of *B*, and *B* in favor of *A*, enables you to reject *A* and *B* relies on the fallacy of composition. Hence, the mere right of emigration does not preserve consent, just as being able to choose between being married to person *A* or being married to person *B* is not voluntary unless you also have the option of remaining single.

Moreover, there should not be any additional undue costs for exiting. For example, it would be unjustified to say that anyone who wishes to emigrate from a country would have to pay an exit fee, as this would impair their exit opportunity. The opportunity for people who are born into servitude to purchase their freedom would not render this servitude consensual.

To be able to actually express dissent, one must not only be able to choose from a pre-determined menu, but also have equal rights to introduce new options to this menu if none of the existing ones are found to be satisfactory. However, to introduce a new option, one needs access to some land that is not under the authority of currently existing states. Since everyone must have a similar right to dissociate, they must also have a right to some portion of the earth, to which they could exit (Beran 1987, 32; Tideman 2004). It seems that this calls for an equal distribution of land. Saying that you may exit, but only to land that is significantly inferior compared with the land that is retained by those remaining, would be akin to imposing undue burdens on exit, thereby hampering exit options.<sup>117</sup>

It is important to recognize that not all costs associated with exit are undue. For example, if I quit a well-paying job, I will forgo a large wage. Nonetheless, this does not seem to wrongfully impair my opportunity to exit. Similarly, if you wish to leave a community while your friends and loved ones want to remain, it would entail a substantial cost to exiting. However, just as you do not violate the rights of your loved ones by leaving, they do not violate your rights by remaining. Hence, neither of you would be wronged, so these costs should not be interpreted as undue restrictions on exit opportunities.

However, consider an example where those who choose to remain would have access to large quantities of fertile land, while those who exit are only provided with an exit option to small quantities of barren land. For example,

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<sup>117</sup> I think that this type of reasoning might have implications for whether rents should be internalized by those who provide public goods that increase the rental value of land. Assume that Amy and Ben both hold an equal portion of the earth, each worth 50 units, generating a total of 100. Amy decides to construct some infrastructure projects that would increase the value of their sites to 75 units each, and 150 in total. Now, the question arises: is Ben entitled to 50 units of rent or 75? It seems to me that he should be entitled to 75 units. If he was given less than this, he would no longer be able to access his per capita share of land. If Ben's only option to avoid this extra cost was to move to some inferior land, it would effectively deny him equal access to high-quality land.

imagine that the only opportunity for exit was to go to Svalbard or Antarctica. This could unduly penalize those opting to exit over those choosing to remain, similar to demanding that emigrants pay an exit fee, impairing their ability to exit. In order not to impose undue costs on either those who remain or those who leave, individuals should have a right to an equal share of land, as measured by its rental value, regardless of whether they choose to exit or remain.

This has two important implications. First, I believe that consent theory seems to call for an equal per capita distribution of land or rents as a proxy. This equal access to land would provide everyone with an equal and individual right to secede and exit existing states. Since individuals would have actual exit opportunities, their choice not to exercise this right could plausibly be interpreted as tacit consent to remain within the association. Secondly, the fact that states do not recognize individuals' rights to secede with their equal portion of land implies that they are suppressing exit opportunities. Consequently, we cannot plausibly have been said to express consent to currently existing states. Given that consent is a necessary condition for having authority, we must conclude that no states hold authority, providing an argument for philosophical anarchism.<sup>118</sup>

#### VI.4.2. The Argument from Equivalence

The second argument from the equal share interpretation against states is the argument from equivalence. Essentially, the arguments rely on two premises. According to the equal share interpretation of geoism, everyone is entitled to an equal share of naturally occurring resources. Put negatively, it is wrong to deprive individuals of their right to equal access to land. Secondly, according to the Equivalence Thesis, we can understand the territorial rights of states as a form of landownership. Consequently, it seems that the geoist critique of landownership extends to a critique of states, and the equal share distribution as a criterion for the distribution of landownership applies to an equal share distribution of territorial rights.

The argument becomes clearer when we consider how the morally relevant features of landownership also seem to apply to the territorial rights of states. The reason why property is needed in the first place is because there are disagreements over how to use scarce resources. However, these two 'circumstances of justice' apply just as much to the territorial rights of states as they do to property. Just as property rights give the title holder the ability to determine which among our conflicting actions concerning an object should be undertaken, so do territorial rights. Furthermore, since both landownership and

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<sup>118</sup> In the next chapter (VII.3.1.), I explain why I believe that such a system would not only be *a posteriori* philosophical anarchist but *a priori* philosophical anarchist. Since it would enable free entry to access land, it would effectively end the monopolistic claims to territory. Nonetheless, since states are by definition monopolies of violence, this would not allow for any proper states.

territorial rights encompass the exact same set of scarce resources, they are both scarce in the same way.

Additionally, what distinguishes land from other forms of property is that land refers to those natural resources that have not and cannot be created. Consequently, the supply of land is essentially fixed. Furthermore, land is limitational, in the sense that whatever we do, we must be using some form of land (Gaffney 1994a). These features are clearly also shared by territorial rights. Just as the state cannot claim to have created the territory it controls, one cannot create new territory. Hence, if all territory is already appropriated, the only way to increase one's amount of territory is at the expense of someone else. Finally, territory is limitational, in the sense that whatever we do, we must do it somewhere.

Based on these essential features of land and property, the equal share interpretation of geoism holds that landownership can only be deemed legitimate under conditions that everyone has equal opportunities to acquire land or, in other words, if rents are shared equally. Since these very features are also shared by the territorial rights of states, it appears that these considerations extend from landownership to territorial rights.

One can also express the same argument negatively, asserting that the geoist argument against landownership extends to an argument against territorial authority. According to the geoist principle, it is wrong for landlords to deny their tenants' equal access to land by conditioning access on lease conditions and rental payments. However, if we view lease conditions as analogous to legal decrees and rental payments as a form of taxes, it follows that it is also wrong for states to restrict individuals' access to land through such measures. After all, from the point of view of the tenant-citizen, the deprivation of rent is the same regardless of whether it is collected by a landlord or a tax authority. Moreover, it does not seem to matter whether the tenant-citizen's freedom to act is restricted by the landlord's lease condition or by state law. Either way, the access to the land is conditioned on payments and statutes, denying the citizen's free and rightful usage of the land. Hence "[t]he ultimate result would be that the State would become the landlord and the tenant would pay a tax instead of rent. But what is the difference between having to pay a tax or having to pay rent for the use of natural resources? The Single Tax would not abolish rent, it would simply change it into a tax" (Swartz 1945, 35).

Nationalizing land, or rent, would consequently not end landlordism.<sup>119</sup> It would just substitute private landlordism with state landlordism. Rather than

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<sup>119</sup> In one important respect, the land tax would reduce the amount of rent, rather than merely collecting them for the state. If land was taxed to its competitive value, this would deter speculation on land. Since speculation on land leads to underutilization and artificial scarcities, this would increase the effective availability of land, shifting the margin of production toward more productive land, and decreasing rents while increasing wages (George 1898b, bk. IV: IV). Hence, to express the argument more moderately, while a Single Tax might reduce the level of rents, it would not abolish landlordism.

making land freely accessible to all, it would make it available to none. Thus, contrary to its traditional interpretation, the geoist principle does not warrant that all land, or all rents, are maximally concentrated in the hands of the state. Rather, it warrants the position that all land, and all rents, are maximally dispersed on a per capita basis.

Hence, the premise that rents do not legitimately belong to landlords does not lead to the conclusion that it may be used by the state. If the state were to seize these rents from the landlords through a Single Tax, the only just course of action would be to return them to its legitimate owners, e.g., to distribute all rents on a per capita basis. Using the rent for other purposes would unjustly deprive the legitimate owners of their property, just as much as the rental collection of any other landlord would, and just as much as taxation of labor would illegitimately deprive the laborer of their rightful wages. As Benjamin Tucker starkly expressed it:

[A] more absurd *non sequitur* than this it is not possible for the human mind to conceive. It has the form of reasoning, but, instead of reasoning, it is flat and absolute contradiction. It is exactly paralleled in its essential by such an argument as the following: 'This watch belongs to you; therefore it should be put into my pocket.' How does this differ, so far as logic and equity are concerned, from the Single-Tax argument: 'To the use of this corner-lot you have a just claim; therefore the rental value of this lot should be put into the public treasurer'?' (B. Tucker 1926b, 241)

Thus, just as it would be necessary to redistribute the rental value of landownership equally to render these claims legitimate, it is also necessary to redistribute the rental value of territorial rights on an equal basis to render these claims legitimate. However, since no such equal distribution of these rental values has occurred, we must infer that the state's claim over its territory is not legitimate. Consequently, the equal share interpretation of geoism seems to imply philosophical anarchism.

## VI.5. Geoism and Justification

Thus far in this chapter, I have demonstrated that two potential geoist arguments for state authority fail. Furthermore, under the strongest interpretation of geoism, i.e. the equal share interpretation, the geoist critique of landownership extends to a critique of state authority. Consequently, I have argued that there are reasons for geoists, *qua* geoists, to reject state authority and embrace philosophical anarchism. However, should geoists also embrace political anarchism?

Political anarchists deny that states are justified. States are justified if they are, all things taken into account, preferable to all feasible non-state options (Simmons 1999, 742). As I discuss in Chapter III, it is beyond the scope of



this thesis to establish the feasibility of anarchy. Instead, I aim to explore the main challenges concerning feasibility and discuss these issues theoretically, under conditions that they are, or are not, feasible. While feasibility is a general issue for anarchism, there are also several particular issues concerning whether it is possible to combine geoism with anarchism. Traditionally, geoists have asserted that their principles should be implemented through states collecting rents in the form of land value taxation. Hence, it is unclear what a non-state form of geoism would entail. I discuss this particular issue in the next chapter.

In this section, I consider what these arguments would entail if it is determined that geo-anarchism is not feasible. In that case, we would need a theory of a second-best option. If justice cannot be perfectly realized, we ought to approach it to the best of our ability. These second-best alternatives could either be a form of justified geoist states lacking authority, or a form of stateless organization that is not perfectly geoist.<sup>120</sup> In the following two sections, I discuss both of these options and some issues with these views. I believe that there are two important results of this discussion. First, since these alternatives have significant issues, we should consider the geo-anarchist institutions discussed in the next chapter as an ideal first-hand option. Secondly, by considering these second-best options, it becomes clear that the philosophical geo-anarchist arguments discussed in this chapter will have significant implications, even if it turns out that geo-anarchism, or political anarchism more generally, is not feasible.

### VI.5.1. Geoism and Justified States

As discussed in Chapter III, states could be justified even if they lack authority, provided that they are preferable to all feasible non-state options. Hence, one could accept philosophical anarchism without necessarily also accepting political anarchism (Simmons 1999, 742). Such justifiable but non-authoritative states would lack the legitimacy to impose and enforce content-independent rules and obligations on others. Instead, their actions would only be justified under the condition that they conform to independently existing moral standards. In other words, they are justified, since the state only engages in activities that other agents would also have a right to engage in under similar circumstances.

Hence, it seems that philosophical geo-anarchism would have several crucial implications, even if political anarchism proves unfeasible. First, it would imply that only laws based on independent moral standards are binding and

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<sup>120</sup> These two options are supposed to exemplify that the second-best option might both be anarchic but not fully geoist, or geoist but not fully anarchic. However, they should not be thought of as exhaustive. For example, a third alternative would be the type of common pool resource governance, most famously studied by Elinor Ostrom (2015).

legitimately enforceable. As states are subject to the same moral requirements and standards as non-state agents, they may only perform actions that non-state agents may also perform. As private individuals do not have the right to enforce moralistic or paternalistic laws on their neighbors, states do not hold such authority either. Moreover, since we generally believe that people may only use violence under very limited circumstances, such as in defensive actions seeking to reestablish the conditions of non-violence, the same would apply to states. Consequently, this severely limits the scope of state activity and seems to justify broadly libertarian policy positions (Huemer 2013, chap. 7).

Second, as an implication of the first point, it would be clearly illegitimate for states to rig market exchanges in favor of certain privileged interests. Doing so would result in undue monopoly profits for these favored interests, while ratcheting up costs and removing opportunities for the rest. Hence, it would effectively be a form of exploitative plundering. Consequently, it appears that states would not have the authority to create any of the exploitative privileges discussed in section I.1.3.

Third, this would entail that states are morally permitted to distribute rents on an equal per capita basis. By doing so, they would be conforming to, rather than violating, independently existing ethical rules – analogous to how anyone may return stolen goods from a thief to their rightful owner. Thus, states may legitimately charge anyone possessing land a fee equivalent to the full rental value of land, provided that the full value of these rents is distributed on a per capita basis. Hence, despite limiting the state's scope, philosophical anarchism is compatible with a universal basic income based on land rents.

Aside from being permissible, such redistribution of rents is also a necessary condition for legitimizing titles to land. Exclusive possession of land is only legitimate under the condition that land, or rents, are distributed on an equal per capita basis. Consequently, individuals do not seem to be under an obligation to respect titles to land if this condition is not satisfied. Thus, tenants or squatters have no genuine obligation to pay or obey landlords unless access to land is equalized. Moreover, the state would act unjustly if it enforced the claims of these illegitimate landlords.

Fourth, the argument seems to seriously undermine the right of states to regulate migration. While these justified-but-non-authoritative states might have a claim to act as the monopoly enforcers of legal rights within their territory, they would not have any content-independent authority over it. Thus, they would only be able to enforce individuals' independently existing rights and obligations. However, they would have no right to deny or restrict individuals' equal access to land. By migrating, individuals do not violate anyone's rights. The migrant has the same right to an equal share of the land as anyone else. Therefore, by denying migrants entry to the territory, states would effectively exclude them from equal access to the land. Since exclusive possession of land is only legitimate under the condition that those excluded

receive an equivalent per capita share of territory, individual landowners would only be permitted to exclude individuals if they fully compensated those being excluded. Consequently, while individual possessors of land could exclude people from their land, the argument seems to support free migration and open borders between states.

Fifth, the argument also presents a strong argument for the legitimacy of secession. Since territorial rights ultimately do not belong to the state, but rather to the discrete individuals constituting the state, it follows that these individuals should also have a right to secede with their territorial rights (Steiner 1995, 1996; Tideman 1991, 2004).

For a state to be justified, it would have to move as far as is feasibly possible in the direction of these reforms. To the extent that the state fails to do so, for example, by denying people the right to secede when this could have been feasibly permitted, it would unjustifiably infringe on people's rights. What would distinguish such a justified-but-non-authoritative state from anarchy is that enforcement of these rights would not be endogenous or competitive; instead, it would depend on some exogenous and monopolistic state entity. For reasons discussed in Chapter III.3.2., such exogenous monopoly enforcement seems to be in tension with libertarian principles. If the activities the state engages in are morally permissible, then they should *pro tanto* be permissible for everyone. If they are not permissible, then the state should *pro tanto* not have a right to engage in them either. Hence, such states would only be justified as a second-best alternative if endogenous, competitive, enforcement mechanisms prove to be impossible.

Thus, states cannot be understood as an ideal-theoretic first-hand option. If they are justified, they are only justified as a second-best option, if it turns out that our first-hand options are unfeasible. However, if we think of states as a response to the non-ideal problems of anarchy, we should also consider the non-ideal problems of states. It seems like geoists, in particular, have reasons to be attentive to the anarchist public choice critique of states as formulated in section III.3.4. (Jacobson 2023).

For geoists, the failure to significantly influence state policy should be rather remarkable. If the geoist analysis is correct, a shift to taxation of land would not only be significantly more economically efficient but also much more equitable and morally justifiable. It would bring about a world without systematic class inequalities or destitution. This insight is not new; many of the economic and normative advantages of land taxation have been well-known since before Smith (Vallentyne and Steiner 2000b; Wenzer 1997). Nevertheless, in the vast majority of jurisdictions, taxation remains concentrated on labor rather than land. It almost seems like a perfect natural experiment for testing whether public policy is shaped to promote the general interest of the many or the special interest of the wealthy few. If interpreted as such an experiment, the verdict is clear.

As a result, geoists have good reason to accept the claim that states, including contemporary liberal democracies, tend to uphold or magnify class inequalities rather than mitigate them. The distribution of rents is a perfect example of a conflict between dispersed and concentrated interests. An equal per capita distribution is the most dispersed possible distribution of these resources. If rents were redistributed on a per capita basis, this would not only benefit everyone who is landless but everyone who currently holds less than their per capita share of land. Thus, the only people who benefit from our system of unequal landownership are the small class of large-scale landowners controlling larger shares of land than is compatible with the equal shares of everyone else.

One important implication is that it seems that the anarchist and geoist analyses of exploitation may not be mutually exclusive, but rather mutually supportive. This raises an important challenge to the geoist theory. Following this line of reasoning, it appears that geoists have good reason to be open to the anarchist analysis, which suggests that structural features inherent in political decision-making tend to favor concentrated and powerful interests over the dispersed and powerless. Geoists ought to be especially concerned about the anarchist argument that state and elite power tend to be self-reinforcing and grow over time, rendering a limited government that only upholds our rights an unstable ideal (Rothbard 1998, 175–76).

However, if this is true, it would pose a significant challenge to the traditional state-centric geoist strategy. If there are structural features of states that inherently bias them in favor of elites, this introduces the risk that even a geoist state, funded by land taxation, could use these revenues to privilege cronies at the expense of the rest. In section I.1.3., I discussed several possible mechanisms of exploitation aside from land value taxation. It seems that elites, even under land value taxation, could use any of these mechanisms to divert rents toward their favored cronies, at the expense of the dispersed. Geoists need to explain why state institutions that are evidently inclined to generate vastly unequal distributions of rents would not be willing or able to divert the revenues from land taxation to those same elites.

Hence, geoists should think carefully about how to design institutions to prevent rental revenues from being captured by those in power. This has two important implications for the purpose of this thesis. First, it provides a non-ideal argument in favor of the equal share interpretation of left-libertarianism, according to which rents ought to be distributed on an equal per capita basis. One advantage of an equal per capita distribution is that it is very transparent and requires very little discretion or calculation in deciding how to allocate rental revenues. Consequently, it is less vulnerable to rent-seeking manipulation. Secondly, geoists should consider whether it is possible to achieve an equal distribution of rents through non-state institutions that are less vulnerable to such behavior. Even if the state monopoly seems like unavoidable wrongdoing, we should still recognize it as wrongdoing and hence strive to

find less wrongful alternatives. In the last two chapters, I explore different possibilities and challenges with such non-state institutions redistributing rents.

### VI.5.2. Occupancy and Use

If it turns out that it is impossible to generate a geist distribution of rents in a stateless society, there may be other types of non-state institutions that approximate justice. In this section, I consider the occupancy and use principle of landownership as a mechanism for achieving an equal distribution of land within a stateless society.

The occupancy and use view of property, often associated with the broader economic ideology of mutualism, asserts that only the laborers using a resource can be its legitimate owners. In other words, one's claims to land are legitimate if and only if one is actively using the land. There are two immediate results from this theory. First, it would increase the carrying cost of land. Since one would have to regularly work on a piece of land to maintain one's claim, it would become more costly to keep land out of the market for speculation. Consequently, all vacant land would be considered unowned and open for settlement, increasing the supply of rent-free land. Secondly, it would render tenancy arrangements impossible. Since it is the tenant, rather than the landlord, who is using the land, the claim to it would belong to the tenant. Thus, it would abolish all rental payments, as the user would always be the legitimate owner (Carson 2007, 2015; Proudhon 1876; Swartz 1945; Tandy 1896; B. Tucker 1926c).

The model is often combined with a broader theory of mutualist socialism, which holds that labor is the only source of economic value and that workers have a legitimate claim to the full value of their produce. However, under capitalism, workers are deprived of this value through usurious interests, profits, and rents facilitated by state regulations that protect these institutions from competition. If regulations on trade, banking, and the protection of unjust landownership claims were abolished, interests, profits, and rents would fade away, leaving workers with the full value of their labor (Carson 2007; Proudhon 1876, 1969; Swartz 1945; Tandy 1896; B. Tucker 1926c).

This theory seems to avoid much of the critique regarding the accumulation of land discussed in Chapter V. Since there is some limit on how much land one can occupy and use at the same time, it would impose an upper limit on possible accumulation. However, there still seem to be some theoretical cases in which the theory yields counter-intuitive implications. Imagine a scenario in which Crusoe is shipwrecked on a deserted island. The island is small enough for one person can occupy and use all of it, making him the proper owner of the entire island. Later, a second person, Friday, is also shipwrecked on the island. It seems that the occupancy and use model would permit Crusoe

to exclude Friday from any resources at all, making Friday's situation just as precarious as it would have been under right-libertarianism.

Furthermore, there appear to be some theoretical problems with the occupancy and use model. The aim is to abolish economic rents by forbidding rental fees demanded from tenants. However, the definition of economic rents is much broader than mere rental fees. Economic rent encompasses all economic gains derived from naturally occurring resources. For instance, if two individuals invest the same amount of labor into two different plots of land, one fertile and the other sterile, the difference in their yields cannot be attributed to their labor but to the economic productivity of the land. Since my ability to occupy and use a piece of land does not seem to diminish with its productivity, it appears that the occupancy and use model would allow for significant inequalities in the distribution of economic rent. To put it in another way, economic rent is an opportunity cost, while tenancy fees are an explicit cost. If we believe that everyone should have equal access to the natural resources created by none, then simply abolishing explicit fees seems insufficient. This approach mistakenly focuses only on that which is seen, but not that which is unseen.

Moreover, the occupancy and use view might even fail to achieve its explicit goal of abolishing explicit payment for rent unless it also forbids the buying and selling of land. It seems conceivable that I could enter into a contract with someone agreeing to stop using a resource, thereby making it vacant for someone else to use, in exchange for a fee. In other words, while the occupancy and use model forbids explicit rental tenancy fees, it does not forbid the purchase and sale of land. However, the selling price of land is merely a capitalization of its rental value. Hence, it is just as much a form of explicit rent as tenancy fees. It seems theoretically unsatisfactory to forbid one while allowing the other. This arrangement would still enable sellers of land to make large, unearned rental profits, while forcing those purchasing land into mortgage debts,<sup>121</sup> thereby enabling the type of economic exploitation of labor that the occupancy and use model was supposed to prevent.

Defenders of the occupancy and use position generally acknowledge these issues and concede that a perfectly equal distribution of rents would be morally preferable in principle. However, they view the costs of trying to achieve such an outcome, especially if it would require a significant state apparatus, as outweighing the benefits. As Carson expressed the view:

Of course, some residual amount of differential rent, both from superior fertility and favorable location, will always exist. However, I believe that opening up vacant land, together with eliminating subsidies to sprawl, will reduce the

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<sup>121</sup> Noticeably, many mutualists claim that interest rates would essentially fall to zero in a world with free banking. However, even if these loans were interest-free, they could capitalize many years' worth of rent. It would thereby incentivize individuals to speculate on land, putting minimum labor into it to maintain one's claim, in the hope that its value will appreciate over time.

amount of differential rent to acceptable levels. The remaining rent will be “unfair,” in the same sense as the higher incomes that continue to go to those with unearned superior innate abilities even after legal privilege is abolished. But the use of land value taxation to eliminate this residual amount of rent, in my opinion, would be a cure worse than the disease. (Carson 2015; cf. Tandy 1896, 132–34; B. Tucker 1926a)<sup>122</sup>

Accordingly, rather than seeing occupancy and use as a competing normative theory concerning the moral status of rent, it should be understood as another type of institutional mechanism for reducing rents and diminishing the level of exploitation. Thus, we should not evaluate occupancy and use as an ideal theoretic principle in opposition to left-libertarianism, but rather as a non-ideal theoretic institution for approximating left-libertarian ideals.

Furthermore, as suggested in Carson’s quote, defenders of the occupancy and use position are often optimistic that this mechanism would be able to approximate a relatively equal distribution of rents in practice. If absentee claims were nullified, this would encourage a sprawl to currently unused land. Since this would significantly increase the supply of rent-free land, it would shift the margin of production upwards, thereby reducing rents and increasing wages. Hence, while there might still be some residual rents, they would be deemed a tolerable cost for the theory.

Just how large these residual rents would be under occupancy and use cannot be determined a priori. It will ultimately depend on variables such as the amount of available land, how many people are using the land, and how much land one could be said to occupy and use at any given time. Nonetheless, the notion of “occupancy and use” is notoriously vague.<sup>123</sup> While I may be using the land that I am working on, am I still using it when I go home for the night? What if a field is not used between harvest and plantation? And what if it is left fallow for some seasons, so as not to be depleted? Of course, all theories rest on some ambiguities and vagueness, such as the geoist distinction between naturally occurring land and capital improvements made to it. Nonetheless, in most cases, the vagueness concerns our ability to accurately approximate an underlying distinction that may be clear in theory but difficult to appreciate in practice. However, this issue is even deeper for occupancy and use, as there seems to be no such conceptually clear underlying theoretical value to be approximated.

This ambiguity makes the theory difficult to evaluate. A very stringent interpretation, for example, hindering us from leaving our home out of fear of it

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<sup>122</sup> Notice that Carson argues that the rent of land is morally equivalent to the rents acquired from superior talents or natural abilities. I discuss this view in more detail in section II.3.4. above.

<sup>123</sup> This is not only a problem for occupancy and use, but also for right-libertarian notions of landownership which hold that a permanent claim to the land is made by “mixing” one’s labor with it. The main difference between the views relates to the criteria by which this claim can be considered vacant (Carson 2015).

being occupied, fails to protect our interest in possessions. In contrast, a very broad interpretation, only requiring us to use the land once in a generation, seems more vulnerable to the arguments raised against right-libertarianism. Perhaps one could argue that there is a sweet spot between these extremes. It seems to me that such intermediary positions, rather than avoiding both these problems, may be vulnerable to both of them.

For example, it seems reasonable that a criterion should at least protect our investments between plantation and harvest. While this criterion may last less than a year for many crops, other plants grow much slower. Consider oak forests, which require approximately 150 years from planting to harvesting. We must either accept such forestry as a legitimate form of use, thereby allowing someone to gain exclusive claims to a piece of land for over a century merely by the labor of planting an acorn. Hence, it would make the carrying cost of land extremely low, thereby making land accumulation much more viable. Alternatively, one could deny that forestry is a form of use that generates a claim to the land. This approach effectively prohibits forestry as a form of economic activity. It would also require an alternative theoretical justification to determine what counts as “occupancy and use.”<sup>124</sup> Either response seems problematic for the view.

If we recognize forestry as a legitimate type of “use,” this dramatically reduces the amount of land we can consider vacant. This also points to a deeper issue for the occupancy and use position. The problem with artificial land scarcity does not primarily arise from the land being *unused*, but rather from it being *under-used*. The problem is not that the forester is not using the land, but rather that it could be used more intensively, e.g., if a forest was reconstructed into a residential area. Geoist rent payments deter individuals not only from leaving land idle but also from using it less than its full potential. However, the occupancy and use theory fails to capture this nuance. Hence, it is unclear to what extent it would enable sprawl and reduce rents. This type of issue becomes even more problematic when we consider the different qualities of land. Surely, urban, fertile, and coastal lands would be the first to be settled. Consequently, new settlers would instead be referred to the isolated and barren parts of the world.

Furthermore, it is not obvious that a general ban against tenancy arrangements would benefit current tenants. Of course, tenants would prefer to keep the land without having to pay any tenancy fees, but they would also prefer to

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<sup>124</sup> A related issue is that the requirement to actively use land in order to have a say over it seems to arbitrarily rule out many types of enjoyment of the land, which depend on the land not being used. For example, I can have a strong preference for keeping a piece of land out of use as a natural reserve. However, it would be impossible to satisfy these preferences within the occupancy and use model, as the only way of attaining a claim to the land would be to undermine the very reason why the land was desired in the first place. Geoism has a theoretically clear answer to these issues, saying that you may use the land if and only if you compensate those excluded from it.



lease the land as a tenant rather than being excluded from it altogether. If you reconsider the case of Crusoe and Friday, it seems that Friday would be much better off in a scenario where he could become a tenant of Crusoe, rather than being expelled from Crusoe's island. While such a tenancy arrangement might be exploitative, it could still be mutually beneficial compared to a scenario in which Friday is just expelled from the island. Thus, it might be very detrimental to those left landless to outright forbid tenancy arrangements.

However, rules against such mutually beneficial interactions are notoriously difficult to enforce. Both parties would have incentives to implement some sort of tenancy practice, perhaps under some guise, such as it being a temporary residency. Hotels present a problematic counter-example to occupancy and use arrangements. Does the room belong to its temporary occupant or to the hotel? Presumably, it is the latter, as the former rule would make hotels impossible to operate. However, this setup seems to create loopholes that could reintroduce tenancy arrangements. For example, we could imagine a situation in which a large class of landless individuals have to acquire accommodations from temporary hotel stays, thereby enabling these hotels to capture the rents that would otherwise have been pocketed by a landlord.

To conclude, there are several theoretical issues associated with the occupancy and use model as a mechanism for implementing an equal distribution of land. It fails to equalize residual rents and abolish rental exploitation inherent in the selling price of land. Moreover, the vague notion of "use" seems to make the rule vulnerable, as one could exploit the rule by engaging in minimal forms of underutilization or temporary leases of resources. In the next chapter, I discuss geo-anarchism as another mechanism for achieving left-libertarian objectives in a stateless society. I believe that such geo-anarchist institutions may be preferable to occupancy and use, at least at the level of ideal theory. However, it could be the case that geoism is impossible to implement in a stateless society, while occupancy and use are not. In such circumstances, one could consider occupancy and use as an imperfect heuristic for approximating the goals of geoism, making it a second-best solution to the problem of land-ownership.

# Chapter VII – Geo-Anarchism

## VII.1. Introduction

The subject of this thesis is the relationship between geoism and anarchism. Thus far, I have argued that states can be understood as a form of sovereign landlords. Consequently, anarchists who reject states should also reject sovereign landownership, while geoists who reject landownership should also reject states. If we wish to abolish either, we must abolish both. As this summary shows, the arguments presented thus far have been entirely negative. They have shown that both geoists and anarchists should avoid certain institutions, but without discussing what type of alternative institutions they could embrace instead. Even if the previous chapters may suggest that geoists and anarchists both ought to find geo-anarchism desirable, it remains to be seen what geo-anarchism entails, and whether it is a coherent position at all.

Furthermore, it seems that the discussion so far has generated two puzzles. First, if the conditions under which property is justified are also conditions under which territorial rights are justified, it becomes unclear whether we could provide a coherent principle for legitimate possession that does not conflict with either geoism or anarchism. The second dilemma concerns whether it would be possible, institutionally, to implement an equal distribution of land independently of any state institution. Traditionally, geoists have argued that the influence of landlords ought to be restrained via the power of states. However, if states are to be abolished, it becomes unclear how geoists could effectively restrict landlordism. In this chapter, I seek to address both of these puzzles.

The goal of this chapter is not to establish geo-anarchism as feasible beyond reasonable doubt. Rather, it is to show, more modestly, that geo-anarchism is at least a theoretically coherent position, and to provide some tentative analysis of the different challenges faced by such a position. It might be the case that the institutions outlined in this chapter are completely unfeasible. If so, it seems that the second-best option would be to approximate the principles of geo-anarchism as closely as possible. As discussed in the previous chapter, one potential second-best option could be justifiable but non-authoritative geoist states that redistribute rents on an equal per capita basis, without claiming political authority. Alternatively, one could argue that occupancy and use norms or common ownership of land could approximate a per capita distribution of land within an anarchist setting.

My discussion of geo-anarchism will loosely follow the theoretical framework distinguishing between ideal theory and non-ideal theory. Ideal theory describes institutions under idealized but often unrealistic assumptions, such as full voluntary compliance with the institutional norms and isolation from external influences, etc. Non-ideal theory, on the other hand, asks which institutions are preferable under the more realistic background conditions of partial or limited compliance (Valentini 2012). The chapter is structured such that I start considering these issues at a very high level of idealization, then consider more complicating non-ideal issues as the chapter progresses. Thus, this chapter is closely connected to the subsequent one, where I discuss similar types of institutions as a form of transitional non-ideal theory.

The chapter is divided into four sections, including this introduction. In the second section, I outline geo-anarchist principles under highly idealized conditions. In the third section, I discuss some implications and possible outcomes generated by the general mechanism described in the second section. In particular, I argue that, since such a distribution of land would not be monopolistic, it would not justify monopoly states. Consequently, it would be compatible with anarchism, resolving the first puzzle of whether it is possible to provide an account of legitimate possession without legitimizing states. In the fourth section, I consider the second puzzle of whether it would be possible to implement such a distribution of land independently of state policies. I examine alternative institutional arrangements and discuss several non-ideal issues faced by these institutions, such as limited compliance, issues of scale, and the best methods for estimating rents. The section ends with a brief discussion of public goods provision under geo-anarchism and a summary of these institutions.

## VII.2. Ideal Theory

The basic structure of a society conforming to geo-anarchist principles could be illustrated with the example of a group of castaways on a virgin island. Suppose for the sake of argument that this island happens to be easily divided into perfectly identical shares, equal to the number of castaways. Following the equal share interpretation of geoism, each individual would consequently receive one such share. Following the anarchist interpretation of geoism, their claim to this land would not only include the powers usually associated with landownership, but also those associated with the territorial rights of states. Thus, each individual is sovereign and independent of any authority from the others.<sup>125</sup> Each has reason to recognize and respect the title of everyone else,

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<sup>125</sup> In principle, this could be understood both as reducing the number of states to zero or increasing them to one per person. Regardless, it would generate a scenario under which each person is sovereign, and no one is under the authority of others (cf. Jacobson 2018, 12).

given that they reciprocally recognize their equal title to land. Moreover, they have complete freedom of association, allowing them to associate or disassociate from one another as they please.

While this situation conforms to the principles of geo-anarchism, it does so due to the highly idealized and unrealistic assumptions stipulated in the thought experiment. Throughout this section, I will relax the idealization of these different assumptions, thereby moving the example closer to more realistic circumstances.

In this section, I will focus on the assumptions that a) the stipulation that the land is easily divided into perfectly equal shares and b) the focus on a single generation of inhabitants, shifting focus to a dynamic theory and stability over time. In a later section, I will also discuss the complicating features of c) how to institutionally arrange this distribution, d) how to deal with compliance and enforcement of these norms, e) how to deal with issues relating to scale, and f) how to calculate and distinguish the value of land as separate from the value of immobile capital.

### VII.2.1. The Assumption of Homogenous Units

In the initial example, I assumed that land could be easily divided into equivalent per capita shares. This assumption, while simplifying the example, is highly unrealistic. Some land is more fertile, or better connected to easy communication, such as natural ports, or more scenic than other areas. One acre of Antarctica is not equivalent to an acre of Tahiti or Manhattan. Thus, mere equivalence in physical size seems to be a poor interpretation of equal shares.

One way to avoid this problem is by not simply distributing land equally, but distributing rents equally instead. Rents, being the economic value of land, can be expressed in a single currency, making them easier to compare. Consequently, one way of distributing heterogeneous and non-divisible goods equally is to distribute their economic value. Presume, for example, that four siblings have inherited equal claims to a house from their deceased parents. Since they would not be able to live there together, the good is scarce and non-divisible. Furthermore, they disagree on the value of the separate parts of the inheritance. Some want the furnishings while others want the paintings, but they cannot agree on any single standard for comparing the value of a furnishing with that of a painting. Thus, the goods are also heterogeneous. Hence, how could such goods be distributed equally? One way of achieving this would be to sell the house and its furnishings, or find another way to determine its market value, thereby expressing the value of the house in a single, divisible currency to be equally divided among the siblings. Thus, if any sibling wished to reside in the house or wanted a specific piece of furnishing, they would have to buy out the other three, paying each a quarter of its economic value. If none of them were willing to pay the full price, the house would be

sold to an external party, and the selling price divided equally among the siblings.

Similarly, we can distribute scarce, heterogeneous, or non-divisible units of land equally by selling it at its market price, i.e., its full rental value, and then dividing this rental value on a per capita basis as a form of rental dividend. There is some disagreement concerning how best to determine the economic value of land, which I discuss in more detail below (VII.4.4.). Nonetheless, the principle can be illustrated with a land auction. All available land is divided into separate lots. The only way to obtain an exclusive claim to one of these lots is to outbid everyone else for it. As a result, each lot would sell for its competitive price, with more desirable lots fetching higher prices, while less desirable lots sell for less. While this would suitably distinguish between low-quality land and high-quality land, it is unclear in what sense this would be an equal distribution of land. Another feature of this land auction must consequently be that the yields from these auctions are distributed on a per capita basis, as a form of rental dividend. This yield, reflecting the economic value of the land before any labor refining it, reflects its full rental value (cf. Dworkin 1981b; Mazor 2009, chap. 6).

One feature of this arrangement would be that everyone would have the opportunity to freely acquire their per capita share of land, as expressed in land value. By using the full rental dividend to bid for land, an individual would obtain a share of land, the value of which perfectly equals the value of everyone else's lot.

Furthermore, these distributions would be “envy-free” in the sense that each individual receives a net set of leases and dividends, which, in their own estimation, is at least as good as any other set received by any other agent. At all stages of the auction, each agent has to weigh the benefit of acquiring a lot against its opportunity cost when deciding whether to bid for another lot or keep the dividend. If an individual values a lot more than any other option, they will bid for it. However, if there is an alternative option they prefer to this lot, they would bid for the other option instead. Thus, they will always end up with the option preferred most, whether it is leasing some lot or keeping the money. Thus, we know that an individual, all things considered, prefers their own net set of goods to any other possible set. Consequently, if their bundle differs from anyone else's bundle, in their own eyes, it can only be because their own bundle is preferable to all other bundles. If it were not, they would have bid for the other bundle instead (Dworkin 1981b, 285; Steiner 2011, 121–23; cf. Mazor 2009, chap. 6.2).

Another option would be for some individuals, desiring more land than others, to bid for more than their per capita share of land. As a result, they would pay more rent for their land than they received in their rental dividend, making them net payers. Similarly, some individuals might desire less land than others, thus bidding for less than their per capita share. Consequently, they would

receive larger rental dividends than the fee they paid, making them net receivers. Thus, the system would be compatible with a form of universal basic income scheme. One could perhaps object that this would provide some individuals with more land than others. However, I do not think that it does so problematically. The situation is equivalent to one in which individuals *A* and *B* receive perfectly equal shares, but *A* decides to sell part of their share to *B*. This transaction provides *A* with a larger net amount of cash and *B* with a larger amount of net land. Since such a transaction is mutually consensual and occurs against background conditions that are just, no one has a legitimate claim to complain about it.

Consequently, by distributing rent on an equal per capita basis, we can achieve an equal distribution of land without having to rely on the unfeasible assumption of homogeneous units of land.

### VII.2.2. The Assumption of Time

A second issue with the simple distribution of land concerns its stability over time. While a land auction could ensure that each castaway receives an equal share of land at a given starting point, this equilibrium seems vulnerable to changes over time.

For example, we can imagine some individuals accumulating increasing shares of land over time, while others end up with little or no land after some time. In Chapter V.3., I discussed several ways that landownership could concentrate over time, disrupting our pattern of equal per capita shares. Perhaps one could say that this situation is not problematic, as those who have acquired larger shares of land have done so legitimately, while those who have unwisely sold their shares of land only have themselves to blame.<sup>126</sup> However, this response is only possible when we consider the temporal effects of exchange within a fixed population. It fails to account for changes in the population itself. If some individuals have many children while others have few, and if all children inherit their parents' land, then individuals with many siblings will inherit much less land than those with fewer siblings. Similarly, if there is immigration to the island, these new settlers would be left landless. As their equal claim to land is not recognized by others, these landless newcomers would have no reason to respect the titles to land distributed in the original land auction.

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<sup>126</sup> Given that those who have relinquished all claims to land will become completely dependent on being granted access to someone else's land, they would thereby also surrender their autonomy. This situation can be compared to selling oneself into slavery. There has been a long debate within liberal theory about whether it is possible to legitimately do so, or whether the right to autonomy is inalienable. For arguments supporting the possibility of voluntary slavery, see (Block 2003; Nozick 1974, 58). For critics, see (Locke 2003, sec. 23; Mill 1859, 184–85; Rothbard 1998, 40–41).

In other words, it is not just an unequal distribution of landownership which is problematic, but also the institution of landownership itself. This issue can be better illuminated by the distinction between static and dynamic monopolies. A market is considered monopolized in the static sense if there is only one supplier of a particular good, and non-monopolized if the supply is distributed among several agents. However, a market is deemed monopolized in a dynamic sense if entry to the market is restricted, regardless of the number of suppliers.

By distributing landownership on a per capita basis, we ensure that it is maximally dispersed in the static sense. Nonetheless, since the supply of land is fixed, the perpetual claims of landownership would still restrict entry to the land market. The only way to enter the market for land would be to purchase a share from some an existing landowner. In section V.3., I argue that dynamic monopolies are sufficient to generate exploitative monopoly rents. As these rents can be reinvested by purchasing larger shares of the market, dynamic monopolies can be rigged to create positive feedback loops that generate static monopolies. Consequently, even if we distributed all land on a per capita basis, it would be possible to concentrate landownership again over time.

Hence, an equal distribution of landownership would present an unstable solution to the issues of unequal landownership. Moreover, if there are inherent trends toward concentration in landownership itself, any one-time redistribution of land would prove futile in the long run. Thus, to make land freely accessible, we must not only redistribute existing ownership titles to land, but also change the nature of these titles. To address this issue, we need to understand land not as a perpetual stock, but as a continuous flow over time.

One way to address this issue would be to alter the auctions so that individuals do not bid with competing one-time fees, but rather with commitments to pay recurring rents for the site. In this way, instead of distributing rents at a single point in time, rents would be collected and redistributed on, for example, a monthly basis, thereby generating an equal recurring rental dividend. Accordingly, individuals would be unable to obtain an indefinite claim to a site without also incurring indefinite payments for the site. Furthermore, as newcomers would have an equal claim to receive these monthly dividends, their equal claim to the land would also be satisfied.

Nonetheless, it is important to note that these recurring payments introduce a new problem, since the rental value of each site may vary over time. Consequently, it would be necessary to reassess the value of these sites recurrently to accurately estimate their rents. While I discuss this issue in more detail in section VII.4.4., one could imagine several different solutions to this issue. For example, one could organize recurring land auctions at set intervals, each of these offering a temporary lease to the land rather than a perpetual property right. Instead of bidding for a perpetual claim to a piece of land, participants in these auctions would bid for an exclusive claim to the land for the coming period. Each such auction would provide a new opportunity for new members

of the community to enter the market for land, ensuring that the equal distribution of land remains equal over time, thereby providing newcomers with equal access to land and reason to respect the equal claims made by others. Another option would be to make these claims indefinite, rather than perpetual, contingent upon the individuals' willingness to pay the highest rent for its use. If some challenger were to offer a higher rent and the incumbent occupier failed to match this bid, the title to the land would transfer to the challenger. Consequently, it would be possible for individuals to enter the market for land at any given time by outbidding any incumbent landholder.

## VII.3. Tentative Implications

### VII.3.1. Would it Allow for Monopolies?

Would it be possible for a single party to win all auctions, thereby acquiring all the land? In other words, is it possible to monopolize land under this system? Moreover, if we believe that the territorial monopoly of states is a form of land monopoly, could this system permit the existence of states? It seems logically possible that one party could win all the auctions, thereby acquire all the land. Although it would be very expensive, as this party would have to pay all the rental dividends to everyone else, being expensive is different from being impossible.

However, it is important to note that even if such monopolization were to occur, it would only be possible if every individual preferred it to a non-monopolized distribution of land. If any individual preferred not to live under the supposed monopolist, they could have bid for their own plot of land. One might object that even if they wanted the land, they might not be able to afford to outbid the monopolist. Nonetheless, this assumption is mistaken. Everyone could have afforded this by using their rental dividends to lease land of their own. Since everyone receives their per capita share of rent, they will always be able to afford their per capita share of land. This becomes clear when we realize that the prospective monopolist, when bidding for land, simultaneously increases the rental dividends received by everyone else. By raising their rental dividends, the supposed monopolist also enables everyone else to raise their respective bids for land.

Suppose there are 10 people and 15 lots available. Five lots are good, five are average, and five are poor. Assume that Adam offers \$10 for each good lot, \$7 for each average lot, and \$3 for each poor lot. This would generate a total rent of \$100, divided into a rental dividend of \$10 per person. Now, if everyone is fine with Adam acquiring all the land, they can accept the result. However, if they are unhappy with it, and want some land of their own, they could use their \$10 dividend to bid for a lot. For example, Eve could offer \$8 for an average lot, while still receiving a \$2 net dividend. Nonetheless, Adam



wants a complete monopoly. To make sure that no one outbids him, Adam decides to double all his bids, thereby raising rents for good lots to \$20, average lots to \$14, and poor lots to \$6, thus generating total rents of \$200. In this new scenario, the rental dividend would also double, in an exact proportion, to \$20 per person. Consequently, Eve would still be able to use her dividend to bid for an average lot. Adam cannot solve this by offering ten or twenty times the amount. No matter how much Adam increases his bids, he will always increase the total amount of rent, and thereby also the per capita shares of rent, along with the purchasing power of the others, in an exact proportion.

Thus, the only scenario in which one party can win all leases is when everyone else consents to it. Thus, we can think of their decision not to bid for land of their own as a form of tacit consent to the auction's outcome. In the previous chapter, I argued that consent to social contracts presupposes individuals have an opportunity to decline, thereby opting out of the interaction. By auctioning temporal leases, rather than perpetual claims to land, we guarantee that individuals are recurrently provided with substantial opportunities to opt out and bid for the own land.

At any one of these auctions, everyone would be free to enter the market for land by using their per capita share of rent to lease their per capita share of land. Since this market would allow for free entry, it would be impossible to monopolize land in a dynamic sense of the term. Consequently, it would make monopoly states impossible. To conclude, even if a party managed to acquire all land leases, they would neither be coercive nor constitute a monopoly, and certainly not a monopoly of coercion. As this system allows free exit, it would only remain as long as it was embraced by unanimous consent, making it non-coercive. Moreover, since it allows for free entry, it would not be monopolized in the relevant dynamic sense of the term. Thus, it would be impossible to create a state by winning all auctions under a geo-anarchist system of equal rent divisions.

Similarly, this feature also responds to a recurring critique of the geist position. Critics often argue that “it would make everyone’s continued possession of the land they occupied and used contingent on their ongoing ability to pay land rent to the community, it would in practice put the entire community of occupier-users in a permanently precarious position” (Carson 2015; cf. B. Tucker 1926b, 236–37). However, this issue seems to be significantly mitigated if everyone receives a per capita share of rent, which could be used to acquire a per capita share of land net rent-free.<sup>127</sup> This presents an additional reason to prefer the equal share interpretation of left-libertarianism over other interpretations of the view.

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<sup>127</sup> One could still be vulnerable to a scenario in which the price of one’s particular site increases *relatively* compared to other sites, thereby increasing one’s rental payments more than one’s rental dividends. However, at some point, it seems unreasonable to assume that first-comers could act as holdouts, preventing more effective use of the site. Furthermore, this type of issue could be further mitigated by purchasing insurance against such risks.

One might object that this debate is a mere semantic quibble over terms. However, I think that focusing on dynamic monopolies is important for two reasons. First, it is important for the normative reason that it ensures exit options and, hence, consent. Thus, it would not be vulnerable to the anarchist *pro tanto* argument against states. Secondly, this focus seems justified if we think of exit opportunities as a safeguard against abuse. Monopolists, including monopoly states and landlords, often have a captive clientele, enabling them to exploit and abuse this clientele. However, if these clients were able to opt out of this relationship, this exit option would act as a check against such exploitation, as abuse would just incentivize these clients to leave. Therefore, even if Adam were to win all auctions and acquire a static monopoly of land, he would still be unable to systematically exploit Eve. Doing so would incentivize Eve to opt out with her per capita share of land, thereby ending Adam's static monopoly. Hence, the focus on dynamic monopoly is theoretically justified.

### VII.3.2. Varieties of Geo-Anarchism

Thus far into this chapter, I have contended that exclusive claims to land can be considered legitimate if and only if everyone excluded from a particular piece of land has equal access to their per capita share of land. Consequently, landownership is only made legitimate within a system where exclusive claims to land are acquired by paying its full rental value into a common pot, which is then divided equally on a per capita basis as a form of rental dividend. This basic structure is both necessary and sufficient for legitimizing claims to land. However, depending on the preferences of the individuals adopting this system, it could yield various possible distributions of land. In this section, I will briefly discuss some possible variations in legitimate land distributions, focusing on whether land claims are equally distributed or concentrated, and whether they are held individually or jointly by an association of individuals.

First, this basic auction mechanism would permit a great variety in the distribution of land leases. Individuals wanting their per capita share of land would be able to use their rental dividend to finance this exclusive claim, ensuring a balance between their dividends and their rental payments. However, we can also imagine a society where some individuals have a much stronger preference for land than others, leading them to bid for more land than their per capita share. As a result, their recurring rental fees would outweigh their per capita rental dividend, making them net payers. On the other end, some individuals who have a stronger preference for currency over land would get by with less than their per capita share of land, thus paying a smaller recurring fee than their per capita rental dividend, yielding a net profit. Therefore, given that all land leases are legitimized via this redistribution of rent, the distribution of land leases can vary from perfectly equal, in which everyone holds as

much land as everyone else, to perfectly unequal, where all land is held by one individual paying massive net dividends to the rest.

These two scenarios are interesting, as they can be connected to two different visions for an egalitarian society. The first scenario, in which land leases are equally distributed among the population, could be connected to the Jeffersonian vision of a society of independent, self-reliant “yeomen” or “petty bourgeoisie.” In this model, production mostly takes place within smaller units, with these small-scale producers themselves controlling the means of production (cf. Scott 2012). At the other end of the spectrum, we can consider a society in which land leases are very unevenly distributed, resulting in significant differences in net rental dividends. Essentially, this arrangement would provide those using less than their per capita share of land with a basic income. Proponents of such systems point out how this would enable everyone to meet their most basic needs. Moreover, with this financial security comes a form of independence from current employers or benefactors, such as one’s family, providing vulnerable individuals with a much stronger position to contest potentially abusive social relationships. Thus, this financial security would also enable individuals to reject underpaid drudge work in favor of other activities such as non-alienated labor or play (cf. Paine 1995; Parijs 1995; Parijs and Vanderborght 2017; Widerquist 2013).

This latter variation is intriguing, as it addresses an important issue in the anarchist literature. While some anarchists have been positive toward a universal basic income scheme as a way of mitigating the issues of economic exploitation and empowering the working classes (Graeber 2018, 269–85), the implementation of a UBI would also cause some practical problems for anarchists. This is partly because anarchists who reject exploitation of labor may not be well positioned to defend a UBI financed via wages. Additionally, since UBI proposals seem to rely on a redistributive state apparatus, it is unclear how a UBI could be sustained if the state was dismantled, making it, at best, a transitional tool. However, geo-anarchism seems to solve both these issues by financing the dividend through land, not labor, in a manner that seems not only permissible but even necessary within a stateless system.

Aside from individual tenancy, we can also imagine individuals pooling their resources to rent land jointly, forming larger social constellations. These associations would be able to provide territorial public goods, such as community defense mechanisms, and could charge all residents of the area for these costs. This is important because it suggests that people could overcome many of the collective action problems that are often raised as objections to anarchism. Therefore, even if it is true that some crucial goods, such as defense against foreign invasion, could only be provided by larger territorial units, this would not pose an objection against geo-anarchism. Rather, it just indicates that people would be more prone to lease land jointly, thereby overcoming potential free rider problems. The challenge facing anarchists is thus not whether they can provide territorial public goods, but rather whether they

can maintain such a system of territorial distribution without relying on any monopolistic state institution.

Some have used this type of argument to defend an international system in which the territory of states is conditioned on rental payments, divided on a global per capita basis, with a universal right of secession (Steiner 1995, 1996; Tideman 1991, 2004). Perhaps one could object that such a system would not be truly anarchist at all. After all, it seems that these leaseholders would have the right to condition access to their land on rules similar to state laws, potentially leading to state exploitation. However, I believe this objection is mistaken. These leaseholders would still differ from states in the crucial sense that anyone who wanted to leave their group would be able to do so. Since everyone would be entitled to their per capita share of rent, they could, if they so wished, lease their own per capita share of land and leave their association. Consequently, there would be no dynamic monopoly on land. The two cases are only superficially similar, in the same sense that voluntary<sup>128</sup> employment and slavery are similar – with the crucial difference that the employee could leave the situation if they so wished, while the slave could not. Even if the system were to generate a static oligopoly, with a set of mutually exhausting associations leasing all land, it would still not constitute a dynamic monopoly. This is because anyone could always opt out with their per capita share of land, either as individuals or as associations.

Therefore, since the residents of these territories would have a real ability to exit, these associations would be unable to exploit or otherwise abuse their residents. Doing so would just incentivize the residents to move to some other association, or some land leased on their own. If we accept the social analysis of radical libertarians outlined in section I.1.3., we would expect these associations, subject to competitive pressure from potential new entrants, to be systematically different from current monopolistic state organizations. Due to the knowledge and incentive problems inherent in large-scale hierarchical organizations, we would expect smaller and flatter organizations to surpass their larger competitors. Thus, just as firms in a genuinely competitive market tend to be smaller, more numerous, and flatter, we would expect these territorial associations to be much more egalitarian and horizontal<sup>129</sup> (Carson 2007, 2008; Long 2008a, 2011a; Weiland 2011).

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<sup>128</sup> Of course, the term voluntary implies that the worker is not coerced or constrained in other ways, such as being dispossessed of land or constrained by licensing or regulations removing other options for employment.

<sup>129</sup> This issue could be connected to the problem of associations based on repugnant and authoritarian values. The most infamous example is probably Hans-Hermann Hoppe's vision of covenant communities expelling sexual minorities and ideological dissenters (Hoppe 2001, 216–18). While Hoppe's vision is based on right-libertarian landownership, one could imagine associations leasing land, and conditioning access to it on similar terms. Since this would be an act of dissociation rather than invasion, it would not be explicitly aggressive, or undermine other people's equal claim to land. Consequently, the non-aggression principle seems to suggest that one may not punish such repugnant associations violently. However, this would not make

Finally, such a system in which land is leased by associations could also be understood in terms of “panarchism” or “anarchism without adjectives.” Rather than advocating for one uniform form of social organization, such as communism or individualism, these interpretations of anarchism ecumenically argue that these different social systems could co-exist side by side (Carson 2016; de Cleyre 2005; Hess 2011; de Puydt 2006). In Nozick’s terms, it would create a “framework for utopia” (Nozick 1974, pt. III). Rather than seeing geoism as one form of organization among others within a panarchist system, geo-anarchism can be understood as the demand that no such form of organization monopolizes all available land, thereby imposing its version of anarchism on others. For instance, if a commune were to monopolize all available land, it would preclude any other form of social organization. However, this would be incompatible with anarchism without adjectives. Consequently, we can interpret geo-anarchism, by breaking up the dynamic monopoly in land, as enabling rather than contradicting with anarchism without adjectives<sup>130</sup> (cf. Schnack 2014, 2015b, 2015a, 2016).

Thus, we can imagine a spectrum of different outcomes, ranging from individual small-scale tenancy to a system based on a universal basic income, to a system of larger voluntary territorial associations. However, they would all be compatible with geo-anarchism. Which of these forms would predominate would depend on different economies and diseconomies of scale, the cost, and advantages associated with territorial and non-territorial provision of goods, and the preferences of the individuals involved. Rather than seeing any one of these outcomes as hegemonic, geo-anarchism would allow for a complex variety of different forms of living, reflecting varieties in people’s preferences and circumstances.<sup>131</sup>

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them immune from moral critique, and egalitarians would still have reason to resist these institutions using non-violent means such as boycotts (Johnson 2011a). Furthermore, there is some reason to expect that such discriminatory communities are unlikely to thrive in a non-monopolistic environment since they would be systematically handicapped compared to their more inclusive competitors. Communities practicing selective cooperation, arbitrarily discriminating against some groups, have fewer opportunities for cooperation than non-discriminating communities. Thus, when the cost of discrimination is internalized, it seems that economic factors are making discriminating societies less successful than inclusive societies, thereby undermining discrimination over time (Long 1998, 341–49).

<sup>130</sup> Even if anarchism without adjectives were to permit several different systems of property to coexist in parallel, the claim that “you can use your rules in your territory, while we use our rules in our territory” still begs the theoretical question of how the borders between systems are determined. Presumably, these borders should change over time, e.g., to reflect demographic changes, and have some way to allow new entrants to try new property systems. By distributing access to land on a per capita basis, geoism fulfills exactly this function, making it a natural complement to anarchism without adjectives. Or, “Geo-Anarchism Without Adjectives,” if one prefers (cf. Schnack 2015b, 2015a).

<sup>131</sup> The same individuals could also adopt different forms of social relationships at different times or in different circumstances. For example, individuals might lease a lot of land when they are younger and more productive, and lease less land when they are older, thereby using their net rental income as a pension. Similarly, individuals may practice communism within the

## VII.4. Institutional Arrangements and Complications

### VII.4.1. Institutions

In the previous section of this chapter, I discuss how rents could be redistributed on a per capita basis in terms of ideal theory. However, I say very little about how this redistribution is brought about. In a statist setting, this could be done by the state. However, geo-anarchism requires some alternative type of institution to perform this function. While all states are institutions, not all institutions are states. I interpret institution very broadly as any “stable, recurring patterns of behavior.” We can imagine a wide range of different institutions capable of performing this function, ranging from more formalized organizations to village or town meetings, to public rituals, to social media platforms, etc. Determining which one would be preferable is difficult to establish *a priori*, and would likely depend on the local context, such as population size, density, access to technology, etc. Thus, there could be many different institutions able to perform the function of redistributing rents on a per capita basis, without also generating the exploitative features associated with states.<sup>132</sup> Accordingly, the aim of this section is not to provide a conclusive or complete blueprint for these institutions, but rather to discuss some of the broad challenges facing such institutions, and point to some potential avenues for addressing these challenges. It is difficult to estimate the feasibility of these institutions *a priori*, or to comparatively evaluate them in detail. Nonetheless, this chapter does not seek to conclusively establish which institutions would be feasible or preferable, but rather to provide some hypothetical examples of geo-anarchist institutions to illustrate that they are at least conceptually possible.

To provide an example, we could imagine an institution performing the function of geoism as something similar to recurring rental payments. Instead of a tenant paying a landlord, each person possessing land would assess the rental value of their land and pay an equal per capita share of this sum to everyone in the community. As each person possessing land would make such a payment, the aggregate rent received by anyone would equal their per capita

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family or close community, and more impersonal forms of trade with strangers and larger societies.

<sup>132</sup> The issue of institutional implementation can also be connected to a distinction within natural law theory between “natural law” and “human law.” While the general principles of natural law are thought of as universal and context-independent, the way they are specified and institutionally implemented, i.e., human law, might vary between different times and places. For example, while it is part of natural law that we should avoid putting others at risk, it is a human law that we drive on the right side of the road. Notice that while human law is, in some sense, conventional, it is not merely positive law, since human law acquires its authority from realizing natural law. Thus, human law cannot violate natural law. Hence, while it might be a natural law that rents ought to be distributed equally, it might be a matter of conventional human law how this is achieved within a given society (Long 1994d).

share of all rents. Such an institution would be able to generate a geoist distribution of rent, but it would not be a state.

It would probably be very time-consuming for each person possessing land to make these payments. However, it seems to represent a rather simple function, and given that one has access to a registry of all individuals entitled to receive rent, the process could largely be automated. It could also be outsourced from individual titleholders to some agents acting on their behalf. For example, the titleholder could pay the full amount of rent to a clearinghouse, which would then distribute this sum on a per capita basis. There are clear economies of scale in this approach, as a clearinghouse could act on behalf of several different titleholders. Still, the clearinghouse would only have to perform two very simple functions: aggregate its complete input from titleholders and then distribute this aggregate amount on a per capita basis.

There are two potential issues with this institutional arrangement that are worth considering. First, who would pay the administrative costs of the clearinghouses? And secondly, could these institutions exploit their clients by leveraging excessive fees? For example, one could argue that it is unfair for titleholders to pay the full administrative cost when the function of the rental payments is to generate justice for all. However, I believe that this argument is mistaken. Any significant administrative costs of possessing land are likely to be factored into the price of land in the first place. In other words, if  $X$  represents what I would pay for land without administrative fees, and  $Y$  represents the obligatory administrative fee, the price I am willing to pay for the land with administrative costs will not exceed  $[X - Y]$ . Similar to sales taxes, it does not matter whether the cost is borne by producers or consumers, as it is likely to be factored into the price and shared between them either way. Hence, these costs would be borne equally among all parties.

However, one could also worry about the size of these administrative costs. It seems that the service performed is rather simple, making the labor cost for performing it negligible compared to the aggregated value of rent. Nonetheless, due to these economies of scale, there may only be a few large clearinghouses in operation. One could worry that this would enable them to exploit this market share by demanding excessive fees, essentially generating monopoly rents. However, I believe this scenario is unlikely. The function performed by these clearinghouses is very simple and would likely require a relatively small startup cost. Hence, if these agencies were able to make significant profits, this would quickly attract new entrants to the market who could undercut the monopoly price. In doing so, they would also push the market price down toward the cost of providing these services, which, as stated earlier, is likely to be rather insignificant. In other words, even if one agency were able to acquire a static monopoly over these payments, it would not be able to get a dynamic monopoly, and consequently be unable to exploit the market for monopoly rents.

## VII.4.2. Compliance

Thus far, this chapter has made the ideal theoretic assumption that individuals would comply with their moral obligations to respect everyone's equal claim to land. However, we know that people often fail to live up to their obligations. Without an enforcement mechanism compelling individuals to follow these norms, we cannot simply assume that they would comply, especially since there would be an economic incentive to violate these norms. For example, we could imagine a titleholder refusing to pay their rent, effectively becoming a landlord. The standard solution to these issues would involve a state mechanism enforcing these claims. However, it is unclear who would do it in the absence of states.

Furthermore, this situation presents a collective action problem for those who are cheated out of their rents. While the interest of the person withholding rental payments is concentrated, the interest of those being cheated of their rent is dispersed. Hence, while each would like the non-complier to be punished, no one is individually incentivized to incur the costs of implementing such a punishment, since their per capita share of rents is so small. This results in a collective outcome where non-compliers go unpunished. If this argument is correct, it suggests that enforcing these norms would necessitate a leviathan enforcing our equal claims to land.

However, I believe that there could be alternative mechanisms for enforcing these norms. First, we could consider a mild form of retribution, where anyone who fails to pay their due rents to clearinghouses would also be denied a per capita share of rents from the clearinghouse. This would effectively reduce the economic incentive for non-compliance in proportion to these per capita shares. It would directly incentivize everyone leasing less than their per capita share of land to comply, while also significantly reducing these incentives for larger landlords leasing more than their per capita share.

Secondly, we could imagine decentralized forms of enforcement mechanisms toward these landlords, such as boycotts, shaming, or social ostracism. Social norms enable us to coordinate our social behavior without the need for external rule enforcement. They can also be highly, and often excessively, punitive. While the punishment of each norm enforcer may be small, they aggregate in a way that could make them harsher than intended by any one norm enforcer. Consider, for example, the punitive capacity of online social media mobs (Muldoon 2021). Since failure to pay these rental fees would effectively deprive everyone else in the society of their share of its rents, it would give everyone in society reason to be outraged, thus having the potential of generating very strong social norms in favor of rent payment, and imposing significant costs on those withholding rents.

Thirdly, there seems to be some economic incentive for individuals to engage in decentralized boycotts or trespass against these non-compliers. There are always costs involved with respecting the titles of others, as one must



thereby forgo using these resources oneself. Under a system where one is compensated with a rental payment for the resource, individuals are also given a reason not to use the resource. However, as the non-complier does not compensate others for their exclusion from the resource, there is no reason for them to respect the non-complier's claim to the resource. To illustrate with an example, consider an apple tree. Everyone has an incentive to pick apples from the tree. However, Adam could acquire an exclusive claim to the tree by paying the others its rental fee, in exchange for them abstaining from picking apples. But notice that as soon as Adam stops paying the others, their reason for not picking any apples will disappear. Consequently, so would Adam's exclusive claim.

Since everyone in society would have this economic incentive to trespass against the claims of the non-compliers, these boycotts would become self-enforcing, rendering central orchestration unnecessary (Caplan and Stringham 2003). Furthermore, since these claims would not be legitimized by the process of paying these rents, no reputable insurance companies or protection agencies would have reason to protect these claims, as this would essentially make them complicit aggressors. Again, "Offering protection for criminals is analogous to offering fire insurance to arsonists" (Huemer 2013, 239). Thus, the cost of monitoring the apple tree and excluding other people from picking it would rise dramatically.

When property rights are based on reciprocity, rather than centrally enforced via state coercion, their maintenance becomes much more dependent on the social goodwill of people in one's surroundings. It makes property rights more akin to reputation markets. "It's a distinction between information and objects; ultimately you can't steal good credit" (Gillis 2011, 174). In other words, "property is what your neighbors will allow." In a society where geoist norms are widespread, neighbors are unlikely to allow exclusive claims to land unless those excluded are duly compensated.

Finally, I believe that it would be possible to overcome the collective action problems involved with rule enforcement if we imagine that responsibility for evicting the non-complier falls on whoever wants to appropriate the resource next. Imagine that Adam has ceased paying rent for the apple tree, voiding his claim. Since no one is legitimately claiming the land, a new auction is held, which is won by Ben. Ben would thus have an individual, concentrated, incentive to evict Adam from the land. In principle, Adam would be no different from any other trespasser on Ben's legitimate possession. Since Ben is a legitimate claimant, while Adam is not, Ben can expect support from his protection agency and the wider society, while Adam cannot. Consequently, the conflict between the two will be an uneven one, where Ben can easily evict Adam. As Adam was the aggressor, one could even argue that it would be legitimate to fine him for the costs of enforcing justice, thereby reimbursing Ben for his expenses, while also generating a deterrent for non-compliance (Vallentyne 2007, 197–98). Ultimately, just as the cost of administrating

clearinghouses is factored into the rental value of land, any net cost of evicting Adam would also be factored into the price of leasing the tree, hence making these costs borne equally by everyone.

Thus, while we cannot make the ideal theoretic assumption that people will always act in compliance with their obligations, there seem to be robust institutional factors that could ensure compliance with the norm of paying these rental fees, even in the absence of states.

### VII.4.3. Isolation and Scale

Thus far, we have considered geo-anarchism implemented within a relatively small, isolated community of castaways. However, while it is feasible within such smaller communities, one could assert that it is much less feasible within larger or even global communities. Even if we agree that it is possible on a smaller scale, one might ask whether it is scale-independent. For example, given that the system functions well within our island, what happens if we discover a second, somewhat less fertile island nearby? Is a given individual entitled to their per capita share of their native island's rent or a per capita share of all available islands? Should rents be redistributed from the more fertile to the less fertile island?

There seems to be a moral imperative to redistribute these rents globally. One reason for redistributing rents is that everyone has an equal claim to them, as no one has created them. However, this reasoning seems equally true for both islands. Regardless of which island you were born on or live on, you have created the land of neither. Consequently, on an ideal theoretic level, there is good reason to redistribute these rents globally (cf. Jacobson 2018).

Nevertheless, one could object that there are several non-ideal challenges with such global redistribution, especially if it is supposed to be enforced by decentralized mechanisms. Much literature on decentralized norms maintenance suggests that these norms are easiest to enforce between parties who are likely to engage in repeated interactions. This facilitates monitoring of other parties and increases the cost of defecting, as doing so is more likely to be noticed and sanctioned in future interactions. However, this implies that spontaneous, decentralized norm enforcement becomes increasingly difficult to sustain as the population grows larger (cf. Axelrod 1984, 139–41; Ostrom 2015, 91–94; Michael Taylor 1987, 166–68).

This raises a problem for the theory. Morally, it implies that we ought to implement geo-anarchism universally, or on the largest scale available. However, there may be factors making compliance easier to maintain on a smaller scale. It is difficult to evaluate this argument entirely theoretically because it is difficult to know when spontaneous cooperation becomes unfeasible. The mere fact that these institutions become less practical with size does not say anything about where the breaking point is at which they will not be feasible

at all, or if the global population is above or below this level. To evaluate the argument properly, we would need a lot of unavailable empirical information.

However, there are some general points that could be made to respond to this issue. First of all, this challenge might be mitigated if land is not directly leased by individuals, but by associations. The reason for this is that each association could then be considered a unitary actor in the game of repeated interactions, greatly reducing the number of actors and increasing the risk that two actors will interact in the future. We can make game theoretic models between two armies consisting of millions of individuals each as a game between two main actors. Therefore, given that people have a preference for leasing land through associations, rather than individually, the severity of this argument seems to decrease.

A second response would be to defend a second-best, non-ideal theoretic solution, where rental redistribution only occurs within each island. It would still be possible to implement geo-anarchism globally in the sense that the globe would consist of mutually exhaustive “islands,”<sup>133</sup> each small enough to foster spontaneous cooperation and each practicing geist equal share distributions of land internally. While it might allow for people on some islands to receive more per capita rents than others, it could be better than any feasible alternative.

Such an institution would still capture some of the geist normative intuition. The basic reason that you must pay other people their equal share of rent is not only that you did not create the land but also because you are excluding them from it. By making these payments, you compensate those excluded from the land, ensuring they have equal access to equivalent shares of land. Nonetheless, who are we effectively excluding from the land? Is it everyone globally, or merely those in our vicinity who are most likely to enter the land? The cost of being excluded from a piece of land is almost entirely borne by those in its vicinity. If rental dividends were only divided locally, the outcome would be that people on the other side of the globe would have no reason to respect my claims to land. However, this might not be that problematic, as they are unlikely to use that particular piece of land in the first place.

While smaller, local rental dividends may not justify exclusive claims to land globally, they can at least justify the exclusion of those who are most

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<sup>133</sup> One could object that this archipelago analogy does not accurately model the world, where borders are not as distinct. If these islands are not literally isolated, is there any non-arbitrary way of determining their borders? Paulina Ochoa Espejo has proposed that a more accurate model for our territory would be a shared watershed, since people sharing such vital resources become increasingly interdependent and are more likely to interact with others who also share this key resource than they are with people who are not. Thus, it could provide a non-arbitrary way of distinguishing one rental redistribution area from another (Ochoa Espejo 2020). Finally, we could also imagine a scenario where these areas are mutually exhaustive, but not mutually exclusive. For example, where everyone pays and receives rent to everyone within a certain radius. This approach would avoid the problem of having sharp, arbitrary borders between different areas, but it is unclear how feasible it would be under non-ideal theory.

affected by it, i.e., those living in the vicinity. Thus, it might be sufficient for the titleholders to be able to acquire de facto exclusive claims to the land. Since we are always physically present at some site, and only one site, this would assign each person to one and only one island. Thus, it would still ensure that everyone receives rental dividends from one area and that no one receives dividends from more than one area.

One effect of this argument would be that there could be no restriction on migration between islands. Since the migrant has not received any rental dividends, there is no legitimate basis for excluding the individual from the island. Once the person is on the island, they would be just as entitled to a per capita share of its rents as anyone else. Nonetheless, if we allow for free migration between these islands, there seems to be some reason to expect that the per capita rental fees would equalize over time. Given that rental dividends are larger within some islands than others, people on the poorer islands will have an incentive to migrate to the richer islands, thereby equalizing the per capita value of the islands. Consequently, since per capita rents between islands would digress toward the mean, a world of mutually exhaustive islands, each practicing geoist redistribution internally and allowing for free migration externally, would approximate a world in which rents were redistributed on a central, global level.

Thus, it remains unclear whether geo-anarchism is scale-independent, such that it could thrive while redistributing rents on a global scale. However, even if this would be impossible, there is a second-best solution of having several mutually exhaustive institutions redistributing rents locally, which is less vulnerable to objections stemming from scale.

#### VII.4.4. Estimating Rents

A final unfeasible idealization worth discussing is the assumption that the castaways in our example arrive at a virgin island, unaffected by previous human production. While this assumption makes it easier to appreciate and divide the rental value of land, it is very different from our real world, where most land has been constructed or cultivated. In geoist theory, a distinction is made between land, which includes all natural resources existing prior to and independent of human production, and capital, which is the result of previous production not yet consumed. While land belongs equally to all, capital belongs to its producer. Consequently, we need some institutional mechanism to estimate rents separately from capital investments.

I believe that any such institution would have to simultaneously satisfy at least three criteria. First, it would need to accurately assess these rental levels (Hayek 2011, 477–78). Secondly, it must not be vulnerable to undue rent-seeking or regulatory capture by special interest groups (Jacobson 2023). Finally, it should not deter future development of the land. If people knew that their investments in the land would only increase their rental payments, they

would be less incentivized to improve it, thereby hampering economic progress (Tandy 1896, 133–36). We can imagine several different institutions for estimating rents, each having different virtues or issues with these different criteria. These considerations jointly pose a significant challenge. While I believe that it is difficult a priori to establish the best way of collecting rent, I will discuss a few different potential institutional mechanisms that seem compatible with anarchism in principle.

Traditional geoists usually assume that these values would be appreciated by professional assessors. Such assessments often occur today, for example, by insurance companies. In the event of a fire, buildings may be destroyed, but the site would remain, making it important for insurance companies to assess the difference. Appraisers have developed several techniques to approximate the value of a site without the building, such as deducing the construction cost of the building or comparing the value of a developed site with the that of a nearby vacant site. Since these sites only differ in their capital improvements, the land value should be similar. As far as I know, these appraisers can make accurate enough assessments of the land value of a site and could, therefore, be solicited to determine the suitable level of rental fee for a site (Andelson 2000b; Gwartney 2018; Mazor 2009, sec. 7.2.1.). Furthermore, if these appraisers could accurately differentiate between the value of the land and the value of its improvements, it seems that they would not deter improvements. However, this type of assessment poses the problem of concentrating large amounts of power in the hands of assessors, thereby making them increasingly vulnerable to rent-seeking influences. Furthermore, it is unclear who would employ these appraisers if they are not state-employed. To be compatible with anarchism, the privilege of estimating rents cannot be reserved as a special privilege for some particular bureaucratic organization but must be competitively open to everyone.

Perhaps such formal assessment techniques could be adapted to be more compatible with an anarchist setting. While such a setting would not have any formal state bureaucracy representing the people, many anarchist thinkers have advocated for randomly selected juries to function as a way to approximate community consensus, and thereby exercise law through one's peers, rather than through central authorities (Spooner 1852; Tandy 1896, 72–75). Such juries could also be used to make judgments on appropriate levels of rent, perhaps under the advice of professional appraisers. If these jurors found that some titleholder were not paying their due rent, this would be a strong signal to the general community to invoke the sanctions discussed above. Thus, jurors would not hold personal authority or enforcement rights but could influence people to coordinate those more decentralized enforcement mechanisms.

Similarly, one could imagine a system in which rents are determined by competitive arbiters, in the same way that libertarian anarchists believe that

other types of interpersonal conflicts would be resolved. Thus, if someone believes that an incumbent title holder is currently not paying the full rental value of their site, they could offer a higher price for the site and bring this case to some neutral third-party arbiter. This arbiter would be free to use the expertise of professional assessors in estimating these rental values and making a judgment. If the arbiter finds that the challenger is correct, the incumbent title holder would need to increase their rental payments or risk losing the title to the challenger.

Aside from professional assessment, the value of sites could also be estimated through decentralized market mechanisms such as auctions or self-assessment.<sup>134</sup> Such auctions have the advantage of being an open process, enabling anyone who believes that a site is undervalued to contest the current price by placing a bid. However, individuals would also be disincentivized from over-estimating the value of the site, as doing so would result in paying more than the site is worth. Since these rents would be determined in an open, competitive process, they would be less vulnerable to rent-seeking behavior or privileges favoring certain groups over others.

However, it seems that these auctions would face challenges distinguishing the value of improvements from the land itself. If individuals could acquire someone else's improvements by bidding for their land, the price of these improvements would effectively be factored into the rental value, potentially deterring titleholders from improving their land.<sup>135</sup>

However, we can imagine different secondary institutions mitigating this issue. For example, by auctioning leases that are long enough to internalize the benefits of most improvements. As most capital deteriorates over time, while land does not, the longer-term value of the site would be more attributable to the land than its capital improvement. For instance, buildings deteriorate over time, such that most buildings require complete renovations every 50 years. If people were able to bid for a 50-year lease, they could internalize the entire life span of their buildings. Hence, it would be similar to the biblical institution of the Jubilee, under which land was returned to common ownership every 50<sup>th</sup> year (Irwin 2022).

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<sup>134</sup> For other models for estimating rents using markets or auctions, see (Felipe 2023; Harsimony 2024; Tideman and Mecherikunnel n.d.; Zhang 2022).

<sup>135</sup> This problem also arises for self-assessment models, such as Harberger Taxes. These taxes an asset at the reservation price, which is the price at which the asset holder self-reports being willing to sell the asset. These models may incentivize accurate estimations in the absence of markets if other people are allowed to purchase the good at this reservation price. As the asset owner wants to avoid increasing their taxes, they are disincentivized from overestimating the asset value. However, since they do not want to sell the asset at a deflated price, they are also disincentivized from underestimating its value (Plassmann and Tideman 2008; Posner and Weyl 2018, chap. 1). Nonetheless, I believe that there is reason to focus not on the reservation price of the seller but the opportunity cost of the highest bidder, since rents are essentially the cost of excluding others from using the resource. Secondly, since the current asset owner would expect to enjoy the site with all of its current improvements, these would effectively be factored into the reservation price, failing to distinguish between land and capital.

Of course, I might still be disincentivized to let the building undergo expensive repairs if there are only a few years left on my lease. However, under these circumstances, the leaseholder could call for a new auction, for a new 50-year lease, enabling them to internalize any subsequent improvements. Another similar mechanism could be to add an exponentially increasing charge to land rents for every year since it has been auctioned. As these charges grow, they would increasingly incentivize landholders to put their land up for auction to reset the charges (Harsimony 2024). However, one possible drawback of these more longer-term leases is that they might make entry into land leases less accessible.

Another solution would be to determine prices by sealed bid second-price auctions,<sup>136</sup> in which incumbents who lose their title are expected to remove all improvements from a site before vacating it. This would encourage a form of “leave no trace tenancy,” where titleholders would disassemble and scrap all capital improvements to a site if they lost the title to it.<sup>137</sup> Since the incumbent titleholder, unlike new bidders, could keep any improvements to the site, they would bid for the site with its improvements, while challengers would bid for the site without any improvements.<sup>138</sup> Moreover, since the rental value would be determined by the second price, it would reflect the opportunity cost to those being excluded from the site, without any improvements. Hence, the value of improvements would not be factored into the incumbent’s price. Another advantage of such auctions is that they could remain open over time. Instead of granting a lease of a particular length, the titleholder would acquire an indefinite claim to the land as long as new entrants were able to place bids for the site, and the titleholder paid rental fees equivalent to the second-highest bid.

One possible issue with this approach is that individuals may be uncertain about the future value of their land. Concerns that the land will rise in value in the future, rendering the incumbent unable to pay its rental fee, might deter them from making costly investments in the land. However, such risks could be mitigated by acquiring insurance against the risk of unexpected increases in rental values, similar to how insurance for one’s home would protect against destruction by other factors outside of one’s control.

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<sup>136</sup> Also known as Vickrey Auctions after geoist economist and Nobel laureate William Vickrey, who first described them academically in 1961 (Vickrey 1961).

<sup>137</sup> To make the case symmetrical between positive and negative changes to the site, individuals would also be expected to restore any harm done to the site before vacating it. It is important to note that this section is concerned with indefinite claims to non-depletable resources, such as geographical sites. However, depletable resources, like mineral or natural gas deposits might be auctioned off in one-time auctions before extraction is started. Since these resources would only be evaluated before extraction, this evaluation would not raise issues with distinguishing the unimproved value of the resource from the value of capital improvements.

<sup>138</sup> If the new bidder wanted the improvements as well, it would be perfectly possible to purchase the title to the site, with the improvements from the incumbent landholder. However, since this purchase would not distinguish between improvements and land, it could not be used for estimating land values.

Another issue is that it might seem wasteful to remove improvements. However, there are some mitigating factors to this problem. First, this approach would likely discourage turnover in tenancy. Since the incumbent titleholder, unlike new bidders, would retain any improvements, such turnover would only occur if a new bidder valued the land without any improvements higher than the incumbent leaseholder valued the land plus any improvements. Under these circumstances, the turnover would be effective rather than wasteful, as the incumbent titleholder is not using the site optimally.<sup>139</sup> One implication of this is that turnover would be more likely when the value of improvements is small, and less likely as the value of the improvements rises. Furthermore, we should consider the extent to which our technology adapts to social circumstances. In a world with perpetual landownership, we encourage architecture that is permanent and immobile. However, a land tenancy system that is less stable would instead incentivize more mobile or modular constructions in the first place.<sup>140</sup>

Finally, one solution would be to allow the former and the new titleholder to bargain over improvements. Hence, the former titleholder faces a choice between removing the improvements and paying their demolition cost or selling them to the new titleholder for the land, while the new titleholder faces a choice between purchasing these improvements or constructing new improvements. This creates a bargaining situation where both parties have some leverage over the other. However, this may have some distortive effects on land prices, as individuals bidding for land would have opportunities to acquire its

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<sup>139</sup> This mechanism would work best if there were many bids for land constantly updating its rental value, but turnover was relatively infrequent, to minimize the transaction costs involved in destroying improvements. For example, if new potential entrants would not only bid for one site at a time but bid for any site in a given area, their bid could be used to update land values for all these sites. Similarly, this effect would arise if new entrants were to “probe” the land value of many sites before finding one that they valued more than the incumbent.

<sup>140</sup> Furthermore, as George emphasized, the value of accumulated wealth is often over-estimated in comparison to the flow of production. “It will be well for a moment to consider this idea of accumulated wealth. The truth is, that wealth can be accumulated but to a slight degree, and that communities really live, as the vast majority of individuals live, from hand to mouth. [...] Unless labor is constantly exerted in preserving and renewing them, they will almost immediately become useless. Stop labor in any community, and wealth would vanish almost as the jet of a fountain vanishes when the flow of water is shut off. Let labor again exert itself, and wealth will almost as immediately reappear. This has been long noticed where war or other calamity has swept away wealth, leaving population unimpaired. There is not less wealth in London to-day because of the great fire of 1666; nor yet is there less wealth in Chicago because of the great fire of 1870. On those fire-swept acres have arisen, under the hand of labor, more magnificent buildings, filled with greater stocks of goods; and the stranger who, ignorant of the history of the city, passes along those stately avenues would not dream that a few years ago all lay so black and bare. The same principle—that wealth is constantly recreated—is obvious in every new city. Given the same population and the same efficiency of labor, and the town of yesterday will possess and enjoy as much as the town founded by the Romans” (George 1898b, 147–48).



improvements (Harsimony 2024).<sup>141</sup> Another potential issue with this situation is that it could generate a monopsony that adversely influences the bargaining situation of the seller. Nonetheless, I believe that this issue could be mitigated if the seller were to credibly pre-commit to a certain minimum price for the improvements, declaring that they would remove them unless this price was met. The seller would be incentivized not to set this fee excessively high, as that would disincentivize the purchase and oblige them to destroy the improvements. However, they would not be incentivized to make this price too low, as this would enable potential purchasers to acquire this surplus, increasing their demand for the site.

Consequently, there seem to be many different possible institutional mechanisms that could be utilized to assess rents. It is difficult to establish a priori how these institutions would function in practice. However, if rents were redistributed on a local level, it is easy to imagine widespread experimentation with different types of rental appraisal methods, with less successful models being discarded in favor of more successful ones. Ultimately, we should not expect these institutions to be flawless. Even if our estimations are flawed, we cannot infer from this position that we should not try to approximate this value at all. For instance, if you were to destroy a rare painting of mine, the value of which cannot be exactly determined without an auction, we would not conclude that you do not owe me any compensation at all for it. On the contrary, we would try to approximate this value to the best of our ability, even if this approximation were imperfect. Thus, the most important issue is not if any of our assessment methods are perfect, but rather, which among our different methods is the best compared to the alternatives. In George's words:

Yet I regard it as certain that it must always be impossible to take economic rent exactly, or to take it all, without at the same time taking something more. [...] Theoretical perfection pertains to nothing human. The best we can do in practice is to approach the ideal. [...] What I have always stated as our aim was that we should take the whole of economic rent "as near as might be". (George 1889, 2)

#### VII.4.5. Some Thoughts on Public Goods Provision

One question that is especially interesting in relationship to geo-anarchism is the extent to which it would be possible to fund public goods through land values within a stateless context. One of the most crucial issues in anarchism is how to provide public goods in the absence of states (cf. Hummel and Lavoie 2007; Long 1994a). At the same time, one of the most important insights within the geist political economy is that land values capture the benefits of

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<sup>141</sup> However, it is unclear whether such distortions would be large enough to undermine the system. One estimation using a Nash bargaining model estimates these distortions to be about 1.5% (Harsimony 2024).

local public goods. Hence, these land values are a natural basis for funding these goods (Arnott and Stiglitz 1979; Stiglitz 1977; Vickrey 1977; cf. Tiebout 1956). Consequently, it seems that geo-anarchism would have some promising resources for addressing one of the most perennial problems in the anarchist literature.

One potential way to achieve this would be to collectively rent land as clubs, making their territorial benefits a form of club goods, rather than public goods. Libertarian anarchist scholars have previously discussed clubs and proprietary communities as mechanisms for funding collective goods (cf. Boettke and Candela 2021, 223–26; Coyne and Goodman 2021, 257–58; Foldvary 1994b; Huemer 2013, 261–62; Long 1994a; Molinari 1884, 391–93). However, one issue for this literature, corroborated by the discussion in Chapters IV and V, is that these types of organizations might become indistinguishable from micro-states (cf. Huemer 2013, 261; Machan 2008). The analysis in this chapter contributes to this debate by emphasizing how such institutions, under conditions where land is equally accessible to all, would be categorically different from existing monopoly states. As long as these clubs compensated those excluded from the land their equal share of land rents, they would not infringe on the equal rights of non-members. Furthermore, since these clubs would be competitive and rely on genuine consent of its members, they would also be compatible with anarchism.<sup>142</sup>

It seems unlikely that such clubs would be able to fully internalize all their economic externalities. Just as neighboring individuals might affect each other's land values, two neighboring clubs could also do so. However, even if these clubs could not internalize all the economic value that they generate, it seems plausible that they would be able to do so to a significant degree, thereby considerably mitigating the public goods objection against anarchism. To the extent that organized local public goods provision is necessary to maintain a community, this would not necessarily undermine geo-anarchism but rather imply that people under geo-anarchism would be more likely to lease land jointly than individually. Whether individuals would be more likely to acquire land individually or as joint communities will ultimately reflect the preferences of people within the society, economies, and diseconomies of scale for these clubs, and the viability of alternative ways to provide essential public goods. Nonetheless, since both systems would allow for free entry,

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<sup>142</sup> While the argument is focused on voluntary membership in these communities, rather than its internal organization, it is worth once again emphasizing that these two issues are connected. Given the voluntary nature of these associations, there would be competitive pressure in favor of more well-functioning clubs. Moreover, given the knowledge and incentive problems inherent in large-scale hierarchical organizations, there is reason to assume that such competition would select for clubs that are organized in flatter, more egalitarian, and horizontal ways (cf. Carson 2008; Long 2011a; Weiland 2011). Similarly, there is reason to believe that associations that do not discriminate on arbitrary grounds would fare better than their competitors, creating competitive pressure against such discriminatory practices (Long 1998, 341–49).

competition without privileges, and genuine consent, they would both be compatible with anarchism.<sup>143</sup>

Another way to internalize land values, as hinted at in section VI.2. above, would be to allocate the increases in land values generated by public goods to those responsible for creating these positive externalities. While I have some reservations about the normative underpinnings of this view, it is interesting to note that it seems to be compatible with anarchism. If everyone who creates such increases in land values could reap these benefits, it would create an entrepreneurial incentive for the production of such public goods. Moreover, if these opportunities were equally open to everyone, rather than the exclusive privilege of some institutions, it would be able to do so in a way that was competitive rather than monopolistic, and hence compatible with anarchism. However, aside from the questions discussed in section VI.2., two additional issues arise with this approach.

First, this approach raises additional epistemic issues concerning the estimation of land values. Aside from distinguishing what portion of a site's value should be attributed to its improvements, it would also require that one disentangle what portion of rents is due to naturally occurring land values and what portion is due to surrounding externalities. Furthermore, such estimations must disentangle what portion of its rental values should be attributed to which particular public good. To make this solution compatible with anarchism, such estimations must be conducted in a way that is itself competitive, rather than being the exclusive privilege of some particular institution.

Secondly, this approach would introduce some risks concerning equal access to land. The larger the portion of land rents attributed to positive externalities, the smaller the fraction that is available for dividends. Consequently, such a system could lead to situations where these public goods increase the value of land without creating a corresponding increase in dividends, thereby decreasing the amount of land that one could acquire using only one's rental

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<sup>143</sup> While both systems are permissible, I believe that there are reasons to prefer a situation under which such communes are not too pervasive. One potential risk with these clubs and communities is that they will give rise to tribalistic or nationalistic identification with the local club. Just as ecological resilience is enhanced by having a diverse ecosystem, rather than monoculture, social dynamics become more resilient against abuse when existing as diversified networks rather than monocultural cliques. Even if membership in a cult is voluntary in the literal sense that members are allowed to leave, lacking connections with people outside the group will still make people vulnerable to abusive group dynamics (cf. Gillis 2018). Hence, while I do not believe that anarchists could *forbid* people from entering voluntary cults or communities, there is still good reason for anarchists to be suspicious about such communities and strive to promote more diversified forms of social dynamics. Thus, even if these clubs were necessary for providing public goods, it might be desirable not to bundle any other goods, services, or social relationships with the club. For example, by organizing social welfare insurance through mutual aid organizations and law enforcement through voluntary associations that are non-territorial and independent from the clubs.

dividends.<sup>144</sup> Hence, this situation could impede individuals' ability to enter the market for land and to exit unwanted territorial associations.

Both of these problems pose formidable challenges. If these challenges cannot be resolved satisfactorily, it appears that the strongest interpretation of geo-anarchism would involve distributing all land rents as equal dividends, even if this would impair the opportunity to fund public goods via land rents. However, this does seem like an interesting area for further research within a broader geo-anarchist framework.

#### VII.4.6. Summary

I have outlined a social mechanism within which anyone making an exclusive claim to land must justify this claim to those excluded by paying them their per capita share of rent, thus enabling those excluded to access an equivalent share of their own. While this social mechanism sounds foreign to us, it could perhaps be illustrated or compared with currently existing institutions, such as the charity organization GiveDirectly. Unlike many other poverty relief charities, GiveDirectly does not provide goods or infrastructure; rather, they provide direct cash transfers to its recipients, effectively providing them with an unconditional basic income. It is consistently ranked as more cost-effective than most traditional forms of charity (GiveWell 2020).

The social mechanism I have discussed bears similarities to GiveDirectly. Individuals controlling land would be expected to pay the full rental value of their land to one such organization. This payment would not be considered charity, but an enforceable obligation. Failing to pay it would be socially frowned upon and seen as hostile, thereby nullifying the individual's claim to the land. If another party offered a higher rental fee for the land, even if the land was stripped of its capital improvements, this would be interpreted as a sign that the current landowner is underpaying their rent. Consequently, the incumbent would be expected to match this sum offered or vacate the land. Finally, the class of recipients would be expanded from those in most need to everyone being excluded from the land, generating an equal universal basic income for everyone.

While these payments would not be considered gifts, the institution can perhaps also be understood in comparison with social institutions such as gift economies, in which social recognition is attained by donating resources to

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<sup>144</sup> This type of issue seems particularly problematic in situations where land is naturally scarce. Consider a scenario in which 100 people reside on an isolated island. The natural rental value of the island is 1,000 units, generating a dividend of 10 units per person, enabling each of them to acquire an equal per capita site. However, due to development, the value of the island increased to 5,000 units, out of which 4,000 units are used to fund public goods. Hence, the cost of acquiring a per capita share of land will be 50, while dividends remain 10. Hence, each person will only be able to acquire one-fifth of the island's per capita value with their dividends. Conversely, the problem seems much less pressing when undeveloped high-quality land is abundant, such as in George's "unbound savannah" (George 1898b, 233–39).

other members of the community. An effect of this social practice is that it functions as a check on economic inequality. “In gift economies there are, often, venues for enterprising individuals: But everything is arranged in such a way they could never be used as a platform for creating permanent inequalities of wealth, since self-aggrandizing types all end up competing to see who can give the most away” (Graeber 2004, 22). David Graeber suggests that we can interpret this type of institution within the framework of radical theory:

In typical revolutionary discourse a ‘counterpower’ is a collection of social institutions set in opposition to the state and capital: from selfgoverning communities to radical labor unions to popular militias. Sometimes it is also referred to as an ‘anti-power.’ When such institutions maintain themselves in the face of the state, this is usually referred to as a ‘dual power’ situation. By this definition most of human history is actually characterized by dual power situations, since few historical states had the means to root such institutions out, even assuming that they would have wanted to. But Mauss and Clastres’ argument suggests something even more radical. It suggests that counterpower, at least in the most elementary sense, actually exists where the states and markets are not even present; that in such cases, rather than being embodied in popular institutions which pose themselves against the power of lords, or kings, or plutocrats, they are embodied in institutions which ensure such types of person never come about. What it is ‘counter’ to, then, is a potential, a latent aspect, or dialectical possibility if you prefer, within the society itself. (Graeber 2004, 24–25)

A geist distribution of rent could function as a similar sort of counterpower, both by challenging landlords’ claims within a state setting and by counteracting the latent possibility that state-like institutions would arise within an anarchist setting. One function of this system would be to create a negative feedback loop on the accumulation of land. As an increased accumulation of land would generate increased costs in rental fees, it would counteract the type of accumulation and systematic inequalities discussed in Chapter V. Moreover, it would provide the recipient of these gifts some basic economic security and the opportunity to acquire their own land. Consequently, people would have the ability to freely enter the market for land, and thereby exit different social or territorial ties, which, as argued in Chapter VI, is an essential condition for such social contracts to be legitimate.

In the next chapter, I consider how this type of institutional counterpower could be used to challenge existing concentrations of wealth and power, bringing us closer to the ideal of equal liberty.

# Chapter VIII – The Opening of the Commons

## VIII.1. Introduction

### VIII.1.1. Summary and Conclusions

The purpose of this thesis is to investigate the analytical relationship between geoism and anarchism. These views can be understood as positions within two significant intra-libertarian debates. The first debate lies between left-libertarians and right-libertarians. Both right- and left-libertarians agree that individuals have full rights to themselves and the fruits of their labor. However, they disagree on the legitimate ownership of external resources. While left-libertarians argue that everyone has an equal claim to naturally occurring resources that were not created by anyone, right-libertarians argue that one may unilaterally acquire an unproportioned share of these resources via original acquisition. The second debate lies between anarchists and minarchists. While minarchists believe that minimal, but only minimal, states may be legitimate, anarchists deny that any states may be legitimate, hence arguing that they ought to be abolished. The anarchist claim can be understood both as the philosophical anarchist claim that all states lack legitimate authority and as the stronger political anarchist claim that states can and should be abolished.

These views can also be understood as interpretations of radical libertarianism. Radical libertarians posit that economic inequality is not the spontaneous result of free competition, but rather that it arises when competition is put out of play by economic privileges. Hence, radical libertarians contend that the best way to achieve increased social equality is not to increase state regulation of the economy, but to remove such privileges. Geoists identify private property in land as the most important among these privileges. Landownership obliges an exploited class of people to pay rent for accessing naturally occurring opportunities, while enabling a privileged class of people to collect such rental incomes without producing anything at all. Anarchists view the most fundamental economic privilege as the monopolistic nature of the state itself. It is only by being supported by this fundamental monopoly of political power that secondary monopolies arise.

The main argument of my thesis is that there is a close analytical relationship between the property rights of landowners and the territorial rights of states. Many traits commonly associated with political authority, namely generality, particularity, content independence, and comprehensiveness, are also

features of property rights. The main difference between the territorial rights of states and property rights is that property rights are subordinate to the territorial authority of states, while states themselves are supreme and, hence, not subordinate to anyone else. Thus, we can understand property rights as a form of subordinate territorial authority, or conversely, understand states as a form of supreme property owners. Consequently, the conditions under which territorial authority is legitimate are also the conditions under which property is legitimate, and vice versa.

This Equivalence Thesis has crucial implications for both anarchist and geoist theory. If the Equivalence Thesis is correct, it seems that the anarchist critique of state authority extends to a critique of landownership. If we were to remove currently existing state institutions, currently existing landowners would no longer be subordinate to their authority. As a consequence, these landlords would effectively become supreme, thereby satisfying all the conditions of political authority. One possible difference between currently existing states and these supreme landlords is their scale and level of concentration. However, I claim that it is possible to intentionally concentrate landownership over time, thereby leading to a situation where these supreme landlords would not be fundamentally different from the currently existing states. Thus, if anarchists believe that currently existing states are illegitimate and harmful, this argument seems to generalize to supreme landownership. Hence, it seems that anarchists, based on their own commitments, should reject the legitimacy of landownership.

Similarly, the Equivalence Thesis also enables us to extend the geoist critique of landownership to a critique of the territorial authority of states. I examine two possible geoist arguments in favor of state authority. However, I argue that these interpretations of geoism are in tension with central geoist commitments and should be rejected. Instead, I propose that the equal share interpretation of geoism is the best interpretation of the view. If this interpretation is correct, rental incomes from land should not be utilized for state spending, but be distributed on an equal per capita basis. Furthermore, it seems to imply that the territorial authority of states themselves ought to be distributed on an equal per capita basis, thereby undermining the state's claim to authority.

These arguments generate two dilemmas. First, if the conditions under which property rights are legitimate are also conditions under which territorial authority is legitimate, it is unclear how we can establish a coherent condition of legitimate possession that does not conflict with geoism or anarchism. Secondly, according to traditional geoism, state institutions play a crucial role in ensuring a just distribution of rents. However, if the arguments from the previous chapter are valid, states come into direct conflict with these geoist principles they are supposed to implement. Without state institutions, it is unclear how such an equal distribution of land could be brought about.

Concerning the first dilemma, I assert that the equal share interpretation of geoism is compatible with geoism, anarchism, and the Equivalence Thesis. This principle could be implemented by auctioning territorial rights to the highest bidder and then distributing the proceeds from these auctions equally on a per capita basis. This approach would effectively allow everyone to use their per capita dividend to bid for a per capita share of land, while also providing those utilizing less than their per capita share with a net basic income, and charging those utilizing more than their per capita share of land with a net cost. Since everyone would be able to use their rental dividend to bid for a per capita share of land, everyone would have the effective ability to enter the market for land and territorial authority. Thus, if we view monopoly in the dynamic sense of being a market with restricted entry, this approach would effectively dismantle the monopoly on land and territorial authority. Furthermore, since states are understood as monopolies on the legitimate use of violence within a territory, this approach would necessarily undermine this state monopoly, effectively eliminating the state's status as a monopoly institution.

Regarding the second dilemma, I speculate about different non-state institutions capable of redistributing rents and land on an equal per capita basis, independent of any state apparatus. This would remove both the monopolistic privilege over land and the monopolistic privilege of state institutions, thereby precluding both rental exploitation and state exploitation. While these institutions are theoretically possible, their highly speculative and counter-factual nature makes it difficult to determine whether, or to what extent, they are practically feasible.

Thus, to summarize, this thesis has defended four main claims. First, it asserts the Equivalence Thesis, positing that there is a close analytical connection between the territorial authority of states and the property rights of landowners. Consequently, it argues that the conditions under which property is legitimate are also the conditions under which territorial authority is legitimate. Second, the anarchist critique of state authority extends to a critique of landlordism. Third, it contends that the geoist critique of landlordism can be generalized to a critique of state authority. Fourth and finally, it suggests that an equal per capita distribution of rent would provide a theory of legitimate possession of land that is compatible with the Equivalence Thesis, while also eliminating the monopolistic feature of both states and of landlordism. Hence, it would be compatible with both geoism and anarchism.

### VIII.1.2. Introduction to a Transitional Epilogue

In this final chapter, I shift focus from the ideal theoretic issues of determining the principles we ought to realize to the non-ideal and transitional issues of how we might realize them. There seem to be radical policy implications implied by these principles. In general, the philosophical anarchist position implies that states should abolish any law that cannot be justified on independent



moral grounds. If we accept equal share geoism as one such independent moral ground, states could approximate this ideal by shifting taxation from labor and savings to land and reallocating their expenditures toward a universal basic income. Furthermore, since the geoist argument extends to territorial rights, states do not seem to have a legitimate basis for excluding outsiders from their territory, which would oblige them to abolish borders. Given the arguments presented in this thesis, it would be a clear improvement if states were to adopt such policies and move closer to the ideals of geo-anarchism. However, in this chapter, I take a somewhat different approach to political transition. Rather than focusing on state reform from the top, I will discuss these transitional issues from a more bottom-up perspective. In particular, I will discuss how interstitial and prefigurative strategies, commonly associated with anarchism, could be utilized to establish a geoist distribution of rents, independent of state policies.

There are two reasons why I believe that this chapter is important for the thesis as a whole. First, while the thesis focuses on very abstract and speculative questions, this chapter is intended to show that these arguments have real implications for us in the here and now. By focusing on transitional theory, the chapter shifts focus from the difficult “destinational” question of whether these ideals could ever be perfectly implemented to the much more pragmatic “directional” question of how we could move in such a direction on the margin. Therefore, even if we cannot completely abolish states or exploitation, we might still have a moral onus to reduce the level of exploitation, moving as close to the ideal as possible. As an implication of this view, these arguments are not premised on controversial issues, such as whether political anarchism is feasible or not. Consequently, I believe that this chapter underscores that the larger arguments of the thesis are not only of theoretical interest, but are also of some practical consequence.

Secondly, the arguments are interesting as they largely mirror points made elsewhere in the thesis. Thus, this chapter is especially interesting as it reflects the arguments made in Chapter V.3.3., where I posit that the monopolistic nature of landownership makes it vulnerable to concentration over time. In this chapter, I contend that the very same inherently monopolistic features of landownership could be utilized by geoists to foster a more egalitarian distribution of land. This strategy embodies a form of political *aiki*, turning the monopolistic features of landownership against the system itself. Thus, to the extent that the arguments in this chapter are convincing, they also underscore the basic conclusions of Chapter V, namely that anarchism is unstable under conditions of right-libertarian property in land.

Similarly, the arguments pursued in this section complement the discussion in the previous chapter. They both address how to implement a geoist distribution of rent independently of a state apparatus. Thus, the types of institutions discussed in this chapter could be understood as a non-ideal counterpart to those discussed in the previous chapter. When read together, one could say

that if the strategy discussed within this chapter was successfully implemented within a stateless framework based on private property in land, i.e., within the framework considered in Chapter V, it would result in something similar to the geo-anarchist institutions discussed in Chapter VII.

The chapter is divided into three main parts. The first part includes a summary conclusion of the thesis thus far, this introductory section, and a discussion of some analytical tools developed within the anarchist literature on political strategy. In the second part, I explore how these analytical tools, along with institutions like Community Land Trusts, could be adapted to establish a geist distribution of rents, independent of state policy. In the final section, I conclude the chapter and the thesis.

### VIII.1.3. Methodological Anarchism and Interstitial Strategies

Anarchist theory has long focused on issues concerning strategy and political change. Conventionally, we think of politics in terms of what policies the state should adopt. “Much of academic political philosophy talks of politics and justice as if they are definitionally concerns about what states should do, or our relationships with each other through the state” (Byas and Christmas 2021, 54). However, philosophical anarchists hold that states have no special moral status, while political anarchists reject the state and its policies altogether. Thus, they seldom rely on state policy to realize their favored outcomes or visions. Instead, anarchists tend to adopt a much broader understanding of politics. “Anarchists see politics and justice as being concerns of social institutions, norms, and relations generally – both inside and outside the state” (Byas and Christmas 2021, 53–54). We can call these contrasting conceptions of political activity “the policy approach to politics” and “methodological anarchism.”

The contrast can be illustrated through a thought experiment involving two societies that adopt identical policies on labor regulation. While these societies have the same state policies, they have widely different non-state institutions. One society has robust social norms against domination and hierarchy, being a thriving civil society with an active labor movement and strong labor unions. However, the second society lacks all of these elements. Thus, in the former society, these labor regulations become essentially superfluous due to the strong bargaining position of the laborers. Conversely, in the latter society, these regulations become essentially unenforceable. Thus, although they adopt the exact same policies, differences in non-state institutions lead to widely varied social outcomes. It is not clear that the solution to improving labor relations in the latter society would be to change the legislation; instead, it could be by building a stronger labor movement (Byas and Christmas 2021, 58–59).

As a consequence of this perspective, an anarchist political strategy has largely focused on building non-state institutions. One way to understand anarchism's role within the broader classical socialist movement is via its strategy. While all socialists rejected capitalist exploitation and sought to transition to a post-capitalist society, they disagreed on how such a transition could be brought about. After all, in ideal theory, even Marxists argue that the state would wither away, albeit after being ruled by a transitional dictatorship of the proletariat (Engels 1947, 340–41). State socialists asserted that workers ought to capture the state apparatus, either via the electoral approach of social democrats or the revolutionary approach of the Bolsheviks. In contrast, many anarchists have promoted direct action and prefigurative politics. Direct action is political action taken to solve political problems directly without intermediaries, such as parties or states. Prefiguration, or interstitial politics, is the strategy of trying to build alternative institutions to those one is trying to replace (Wright 2010, 303–7).

The interstitial approach is encapsulated by Buckminster Fuller's quote: "You never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete." Such alternative institutions may include syndicalist labor unions (Rocker 1989), worker or consumer cooperatives (Prychitko 2019), mutual aid groups (Beito 2000; Kropotkin 1902), informational commons (e.g. Wikipedia cf. Wright 2010, 194–203), alternative currencies and credit (Ling 2022; Proudhon 1969, pt. V) counter-economic black markets (Konkin 1983, 2008), and, most importantly for this chapter, Community Land Trusts. These institutions serve a dual function, addressing immediate needs and long-term development. In the short-term, these institutions can counteract the adverse effects of capitalist exploitation, making marginalized communities more resilient. Over the long-term, these institutions function as seeds for a post-capitalist successor society, capable of eventually replacing state functions. Thus, in the words of an old IWW slogan, prefiguration is "Building a new world within the shell of the old" (Boggs 1977; Carson 2021; Wright 2010, chap. 11).

This interstitial approach has three interesting features compared to more policy-oriented strategies. First, since these alternative institutions enable individuals to avoid exploitation, they have a material self-interest in associating with these alternative platforms. This enables these alternatives to out-compete existing systems. Rather than a revolution capturing the state apparatus, "[i]nterstitial success is more like a complex ecological system in which one kind of organism initially gains a foothold in a niche but eventually out-competes rivals for food sources and so comes to dominate the wider environment" (Wright 2010, 307). For example, people would not go to the Pirate Bay because they were politically motivated to end intellectual property, but because it was a cheaper and more convenient way to satisfy their personal preferences. This enables it to better counteract the collective action problems associated with electoralism. Thus, while the strategy might still require a small

dedicated group to create these institutions at some personal cost, it does not require the bulk of users of the institutions to be ideologically motivated (cf. Michael Taylor 1987, 110).

This also illustrates the second point, namely that these institutions do not presume internal ideological agreement among participants. While parties necessarily require a uniform party platform on a wide range of issues, interstitial politics, and direct action more generally, only require agreement on the one action at hand. Methodological anarchism does not require or presume either political or philosophical anarchism, but serves as a theoretical perspective that can be utilized by anyone (Byas and Christmas 2021, 54). Thus, by associating on the smallest common denominator, allowing dissenters to opt out, direct action enables participants to form much broader political coalitions while simultaneously preserving internal consensus on the relevant issue.

Thirdly, interstitial strategies can translate partial support into partial success. Electoral strategies are largely premised on passing major thresholds to achieve any success at all. Ultimately, if one cannot acquire the support of a majority of the electorate, it is difficult to make any progress at all. Thus, unless one can reach these thresholds, resources spent mobilizing people will be largely wasted. Additionally, even if one can acquire a majority position and implement policies, these policies are vulnerable to reversal if one loses this position in the future. However, interstitial institutions can flourish even if they are only supported by a small group of dedicated activists. Moreover, even if they start small, these institutions can grow over time, enabling a gradual but unceasing development toward more systematic institutional change. Consequently, despite their limited numbers, these activists can have a real and significant impact, punching much above their numerical weight.

That being said, an interstitial approach does not necessarily exclude either electoral politics or revolutionary ruptures. While interstitial politics does not require active state support, it is likely to be more successful in environments where state authorities are not openly hostile to these projects. Thus, there can be a division of labor between interstitial politics and electoral politics. Nonetheless, many anarchists argue that the role of electoralism should be secondary and auxiliary, so as not to divert energy from the primary project of building interstitial institutions into the quagmires of parliamentary politics (Carson 2021, 255). Similarly, revolutionary ruptures may serve as an important step in dissolving malfunctioning state institutions. Such a revolution would not need to seize state institutions, but would only require passive resistance by withdrawing support and compliance from state edicts, making its rule unenforceable, or as defensive actions against attempts of state suppression. However, such ruptures are less likely to bring about enduring positive change unless there are already successor institutions ready to replace its role (Carson 2021, 218–28; Wright 2010, 328–32). In Martin Buber's vivid metaphor:

[R]evolution is not so much a creative as a delivering force whose function is to set free and authenticate – i.e. that it can only perfect, set free, and lend the stamp of authority to something that has already been foreshadowed in the womb of the pre-revolutionary society; that, as regards social evolution, the hour of revolution is not an hour of begetting, but an hour of birth – provided there was a begetting beforehand. (Buber 1958, 44–45)

## VIII.2. Direct Geoism

### VIII.2.1. Community Land Trusts and Their Limitations

Thus, Direct Geoism represents the political strategy of trying to achieve geoist ends through direct action and interstitial politics as a means. This strategy can be illustrated by the example of Community Land Trusts (CLTs). A CLT is a non-profit corporation holding land in permanent trust for community purposes. Thus, such CLTs seek to purchase land and hold it permanently, managing it in the local community's interest, for example, by leasing it at subsidized costs to residents or using rents to manage local public goods. Thereby, it permanently and irreversibly removes land from the private land-ownership market, essentially creating an island of common land within the broader capitalist property regime. Hence, CLTs effectively implement geoist principles of common land ownership via prefigurative and direct action.<sup>145</sup>

Since the 1970s, there has been a growing wave of CLTs. Over the decades, hundreds of trusts have been organized across four continents, with a lot of internal variation in terms of organization and focus. While the term CLT arose in the 1970s, the strategy of purchasing land for political purposes goes back much further.<sup>146</sup> I will briefly discuss two examples that highlight some interesting features of this strategy. First is Arden, Delaware, which is interesting as an intentional community based on geoist and anarchist principles. Second is the Jewish National Fund, which is noticeable for its major scale, but also for highlighting some of the issues associated with these strategies.

Whereas the main strategy of the Single Tax movement was the policy approach of trying to win influence via the ballot, some also used direct action to implement geoism. One famous example is the village of Arden, Delaware. It was founded in the aftermath of the “Delaware Invasion,” a large-scale Single tax campaign effort to get their candidate elected in the 1896 Delaware election for Governor. The aim was to implement Single Tax policies in a smaller state, thereby proving its viability and spreading it further. Despite

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<sup>145</sup> For an early statement of CLT principles, see (Swann et al. 1972), and for a comprehensive bibliography of literature covering the community land trust movement, see (Davis 2022).

<sup>146</sup> While the examples provided are historical, there is also plenty of contemporary interest in CLTs. One much more contemporary and spectacular example would be the proposed city of Telosa. In September 2021, US billionaire Marc Lore announced his intentions of founding a city based on geoist principles. Planned for a population of 5,000,000 inhabitants by 2050, it would be by far the largest intentional geoist community in history.

widespread campaigning, the Single Tax candidate only received about 3% of the vote. After the failure of the Delaware Invasion, two of its campaigners, sculptor Frank Stephens<sup>147</sup> and architect Will Price, decided to instead try to demonstrate the viability of Single Tax policies via an intentional community, inspired by the economics of Henry George, the communal theories of Peter Kropotkin, and the Arts and Crafts aesthetics of William Morris. In 1900, they purchased a 162 acre farm, the mortgage of which was later backed by philanthropist Joseph Fels. This land is still today owned by a community trust and leased to individual residents on renewable 99-year terms. The rental income from these leases is used to finance different local taxes and community projects. The village has expanded twice, establishing the sister villages Ardentown in 1922 and Ardencroft in 1950. Other similar, early geoist communities include Fairhope, Alabama, Free Acres, New Jersey, and the Tolstoyan community Osvyannikovo in Russia<sup>148</sup> (Harris 2004; Liberman 1974; Mark Taylor 2002).

Historically, one of the most influential and ambitious uses of land purchases as a political strategy is arguably the Jewish National Fund. Founded at the fifth Zionist Congress in 1901, its mission was to purchase and develop land in Ottoman Palestine for Aliyah resettlement. Largely crowdfunded via donation boxes around the world, it acquired some 936 km<sup>2</sup> of land by the time of Israel's statehood in 1948, equivalent to about 4% of the territory in the British Mandate of Palestine. Much of this land was leased to collective *kibbutz* farms and individually controlled *moshav* farms. Following statehood, the Fund has shifted its focus to land restoration and reforestation, rather than purchasing land for settlers. The Fund still exists today, controlling approximately 13% of Israeli land (Leon 2005).

However, the project also illustrates how these projects can be deeply problematic from both anarchist and geoist perspectives due to their systematic exclusion and resettlement of Palestinian people. Rather than striving to make land equally and generally available to everyone, the Fund only made it available to Jewish settlers while excluding others (Leon 2005). This illustrates how political strategies involving land purchases may not only serve emancipatory or egalitarian ends, but could also be utilized for exclusion and domination. The fact that the goal of the strategy was to establish a new state is also

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<sup>147</sup> Aside from his Single Tax convictions, Stephens was an admirer of American anarchists Benjamin Tucker and Emma Goldman and published in their journals *Liberty* and *Mother Earth* (Mark Taylor 2002, 312).

<sup>148</sup> A very interesting example of early anarchist geoism was developed by Leo Tolstoy. Attracted to both movements (L. Tolstoy 1900b, 1900a, 1905), he envisioned a social system based on the traditional Russian *mir* village communities. In his vision, the state would be abolished and the land would be leased by individual farmers from the *mir*, as featured in his last novel *Resurrection* (L. Tolstoy 1999, bk. II, chap. I–III). In 1894, his daughter Tatiana Tolstoy implemented such a system in practice by donating her estate Osvyannikovo to the village (A. Tolstoy 1973, 338; Weickhardt 2012).

a very powerful illustration of the issues discussed in section V.3.3., suggesting that right-libertarian anarchism might prove unstable as it could enable the establishment of proprietary states.

Consequently, the fact that these institutions function as landlords also seems to make them vulnerable to the geoist critique of landownership. After all, if landownership as such is morally problematic, then by what standards can these CLTs make legitimate, exclusionary, privileged claims to the land? These issues become especially clear in scenarios where CLTs make the land the exclusive domain of a privileged class or group, thereby denying others equal access. We can also imagine trusts being organized to generate private rental profits for their trustees or to support certain political preferences embraced by the trustees. Furthermore, even if the trust were controlled democratically by its residents, this would fail to explain how these residents may legitimately exclude outsiders or override the will of minorities. As I argue in Chapter VI.3., the majoritarian interpretation of geoism seems to come into conflict with central geoist commitments. Hence, just as it would be illegitimate for any other landlord to infringe on individuals' equal access to land, it would be illegitimate for a CLT to do so.

### VIII.2.2. Adapting the Model

Consequently, the mere fact that CLTs are private, state-independent entities, does not make them immune from issues of illegitimate authority. Just as it is wrong for other landlords to restrain people's equal access to land, it would be wrong for these CLTs to do so. However, the model of the CLT could be adapted to avoid these issues.

One crucial takeaway from this problem is that the claims made by a legitimate CLT cannot be content-independent. Just as philosophical anarchists argue that state policies are only legitimate on the condition that they conform to independently existing standards of justice, the behavior of these CLTs can only be justified based on the content of their actions. I have defended the equal share interpretation of geoism, according to which everyone has an equal per capita claim to the land, as the strongest interpretation of the position. Thus, it seems that CLTs would only be justified if they act in accordance with this equal share principle. While I do not know of any existing CLTs conforming to this view, one can imagine how the basic features of a CLT could be adapted to implement these principles.

Essentially, such a CLT would just lease the land in its trust to the highest bidder and distribute these rents on an equal per capita basis, thereby creating

a universal basic income.<sup>149</sup> For example, consider again the example of Rockefeller Center, discussed in Chapter II.1. Even though the site was leased by the Rockefeller Foundation, it was owned by Columbia University. While all the buildings were constructed and maintained by the Rockefeller Foundation, Columbia University was able to extract millions of dollars every year without producing or managing anything. Thus, the title to the land generated a perpetual, effortless stream of income. Now, imagine that this site, rather than being appropriated by a private landlord, was owned by a CLT chartered to distribute its rental revenues on an equal basis. This CLT would not be involved in the actual use of the land but would merely lease it to the highest potential bidder, redistributing the incomes generated by this lease as a form of universal basic income. Essentially, this would establish a perpetually funded universal basic income derived from local land rents.

While the equal share principle suggests that these dividends should be shared equally, it is unclear which population should benefit from this equal distribution. Given the universal nature of our equal rights, one plausible position is that these rents should be distributed equally between everyone in the world. However, this seems very difficult to implement. An alternative model would be to distribute rents internally among residents of the CLT. This would effectively create a microcosm, where rents would be redistributed based on geist principles. As such, it would provide an efficient demonstration of geist principles.

Furthermore, since the dividend would correspond to a per capita share of rents owned by the CLT, anyone could use their dividend to lease a per capita share of the land, paying no net rents. This would make entry to these institutions free, effectively creating a common pool of freely available land. Individuals leasing less than their per capita share of land could keep the difference as net dividends, while those leasing more than their per capita share of land would be net payers. Consequently, the CLT would simultaneously make land freely available while also incentivizing efficient land use.

One might object that such a solution, only providing rents to residents, would not live up to the universal geist normative position that everyone in the world has an equal claim to the land. It risks making these rents a monopoly privilege of residents, or insiders, at the expense of outsiders. To avoid this implication, I believe that the CLT would need to adopt two institutional features, making it more inclusive. First, it would be crucial that such a CLT would also allow free entry for new potential residents, thereby giving everyone an equal opportunity to opt into the system. By conditioning or denying someone entry to the CLT, one would effectively deprive them of access to

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<sup>149</sup> Ideally, the services provided by these CLTs would not be monopolized, allowing other institutions to act as “clearinghouses” for redistributing rents. If a competing institution offered to act as a clearinghouse, it would be wrong for the CLT to disallow it.



the land, making access a privilege for insiders within the CLT at the expense of outsiders.

Secondly, the CLT could dedicate some fraction of its rent to purchasing more land, either by expanding the original CLT or by establishing another CLT under a similar charter. By making more land available, this fraction would also benefit outsiders, thereby making these rents less of an insider privilege. Thus, this approach would be able to emancipate more territory, enabling the model to grow over time.<sup>150</sup> Once a second site is purchased, its rents would similarly be divided between a universal basic income and a fraction set aside for purchasing more land. Since the resources set aside for growth would increase with every newly acquired lot, it would make the CLT grow automatically, perpetually, and exponentially.

Essentially, this approach would create a metaphorical “Crusonia plant.” Crusonia plants are mythical, automatically growing crops that produce more with each period. Thus, merely by sowing the seeds, it would create a self-sustained, exponentially growing process. While the metaphor is fictional, these features could be shared with social institutions, enabling rather small early implementations to have an outsized impact over the long-term<sup>151</sup> (Cowen 2018, 28). Since the total amount of land in the world is a fixed sum, each additional lot would not only increase the amount of land controlled by the CLT, but also its share of the total available land. This growth would, if continued uninterrupted, only stop once all available land is purchased, thereby establishing a geoist world where rents are distributed equally.

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<sup>150</sup> The idea that those exploited and deprived of their access to land would have to purchase it from currently existing landowners is morally problematic. George famously argued that one should not reimburse landowners for the rental value of their land. Since landownership, in George’s view, was a form of immoral exploitation, this would be akin to compensating former slave-owners for the loss they incurred upon emancipation (George 1898c, bk. VII, chap. 3). While I agree with this moral argument, this position also had the effect of antagonizing and mobilizing very powerful, wealthy, concentrated and well-connected interests of large scale landowners against George. In doing so, it severely undermined the success of the geoist project. Thus, while in ideal theory, landowners would not be reimbursed for their land, it might be necessary for non-ideal theoretic reasons. It should be noted, however, that CLTs could also be implemented on squatted or occupied land. While this would have the significant advantage that it would remove the hefty costs of purchasing the land, it would also risk making the project less robust or irreversible, as such squatters would be vulnerable to the state enforcing the landowner’s claim.

<sup>151</sup> Cowen (2018) argues that there is a moral imperative to find and invest in Crusonia plants, which generate long-term growth. This, he contends, is because actions today can have an immense impact on the flourishing of future people, and we should not discount the welfare of future people. While the CLT argument is focused more on redistribution rather than growth of rental incomes, the arrangement could still have secondary effects on growth rates; for example, it could deter unproductive speculation on land, shifting investments to real capital.

### VIII.2.3. Elaboration from Geoist Theory

In this section, I briefly consider some insights from geoist theory that could be used to illustrate or enhance the impact of these direct geoist CLTs.

I have assumed that these rents should be distributed equally among the residents of the CLT. One reason this model is attractive is that the distribution of rents would influence incentives and land prices. If anyone within a certain area receives an unconditional income, people will also have an increased incentive to move into this area, thereby becoming eligible for the dividend. However, this would drive up land prices and rents within the recipient areas. Therefore, if the CLT were paying dividends to areas it did not control, a significant portion of these dividends would just increase rents within these areas, effectively subsidizing the local landlords owning the area, rather than the intended recipients. Furthermore, by increasing the price of this land, it would also become more difficult to purchase these lots in the future, undermining the future growth of the CLT.

It is noteworthy that this issue is not unique to Direct Geoism but arises generally for any benefits that are restricted to a specific location. Any territorial benefit, such as belonging to a good school district or having good access to public transportation, will increase the attraction of an area, thereby driving up its land prices. Consequently, a significant share of the benefits generated by these territorial goods will be captured by local landlords, counteracting the net benefits enjoyed by residents.

However, while this poses a challenge for any provision of public goods, the same mechanism could also be utilized by a direct geoist CLT to magnify its rental income. If only residents within the CLT's area are eligible for rent, this would increase the demand for residing on CLT land, thereby also increasing its rental income. Effectively, this would create a positive feedback loop, as increased demand for land would raise net rents and dividends, thereby also increasing demand for CLT land. Thus, the rise in local land rents would benefit everyone equally, rather than only a small class of landlords.

One attractive feature of this strategy is that it can utilize, rather than conflict with, people's short-term interests. Individuals would be incentivized to move to the CLT, thereby increasing demand for its land and accelerating its future expansion. This motivation would not necessarily stem from their dedication to geoist ideas, but rather from the self-interest in becoming eligible for a rental dividend. Similar to the Pirate Bay, it would attract users due to the practical utility it provides to these users, rather than due to abstract ideological commitments against the legitimacy of intellectual property rights or landownership. Thus, the strategy could largely sidestep the collective action problems involved with policy-oriented strategies, as people's individual short-term interests would align with the long-term collective interests.<sup>152</sup>

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<sup>152</sup> However, it is noteworthy that while this strategy can utilize the material self-interest of latecomers and residents moving into the CLT, it does not pertain to the startup costs involved in

Using geoist analysis, we can also consider what type of land would be most suitable for purchase. Above, I illustrated the idea of a direct geoist CLT with the case of Rockefeller Center. However, there seem to be strong theoretical arguments to focus efforts on land that is currently kept out of active use. To see why, consider the fact that the CLT, by providing all residents with a share of its rents, would essentially enable everyone to acquire some portion of free land. Recall George's thought experiment:

Put to any one capable of consecutive thought this question: "Suppose there should arise from the English Channel or the German Ocean a No-man's land on which common labor to an unlimited amount should be able to make ten shillings a day and which should remain unappropriated and of free access, like the commons which once comprised so large a part of English soil. What would be the effect upon wages in England?" He would at once tell you that common wages throughout England must soon increase to ten shillings a day. And in response to another question, "What would be the effect on rents?" he would at a moment's reflection say that rents must necessarily fall; and if he thought out the next step he would tell you that all this would happen without any very large part of English labor being diverted to the new natural opportunities, or the forms and direction of industry being much changed; only that kind of production being abandoned which now yields to labor and to landlord together less than labor could secure on the new opportunities. The great rise in wages would be at the expense of rent" (George 1898b, 291).

If the CLT were to purchase land that had previously been kept out of active use, for example, for speculation, it would have a similar effect on new land rising from the English Channel. This would expand the effective supply of land, thereby lowering local rents. By providing people in the area with access to net rent-free land, it would also create economic pressure on surrounding landlords to lower their rents. According to the law of rent, the rental value of a site is equivalent to the difference in economic productivity between the site and the best site which could be had rent-free. By increasing the quantity and quality of land that could be had rent-free, George's analysis suggests that the CLT would also have a suppressing effect on rents in the surrounding area.

Furthermore, if the CLT were to make previously unused or underutilized land freely available, this would enable rapid economic development and population growth within the area. However, such growth of the community would itself have significant influences on local land prices. Consider the following quote.

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initially founding the CLT. Thus, the strategy would still require significant personal costs by those purchasing the land and setting up the CLT in the first place. The initial funding of the CLT cannot be motivated by short-term individual self-interest but is premised on a small group of ideologically motivated activists, or committed philanthropists, willing to incur significant personal costs to get the project going (cf. Michael Taylor 1987, 110).

"Here is a little village; in ten years it will be a great city — in ten years the railroad will have taken the place of the stage coach, the electric light of the candle; it will abound with all the machinery and improvements that so enormously multiply the effective power of labor. Will, in ten years, interest [or wages] be any higher?" [...] "No!" "What, then, will be higher?" "Rent; the value of land. Go, get yourself a piece of ground, and hold possession." And if, under such circumstances, you take his advice, you need do nothing more. You may sit down and smoke your pipe [...] and without doing one stroke of work, without adding one iota to the wealth of the community, in ten years you will be rich!" (George 1898b, 291–92)

While this effect tends to enable private landlords to increase their wealth without producing anything, the same mechanism could be utilized by the CLT to multiply the value of its land. Thus, one way for the CLT to economize on the value of its initial investment would be to purchase underdeveloped land cheaply, thereby enabling a surge of development in the area. Moreover, if such a surge of development occurred, it would cause the value of the land to exceed its initial purchasing price. Hence, by purchasing land that is initially underdeveloped, the CLT would be able to internalize the increase in land values that would result from the increase in local development.<sup>153</sup>

Such development is likely to be a gradual and self-reinforcing process. One way to facilitate such development in its early stages would be to make land available for use that is not capital-intensive and has a low overhead cost. For example, one could imagine CLT land being especially congenial for inexpensive mobile homes, such as RVs, yurts, or tiny houses. Since these structures can be moved from the land where they are parked, it becomes much easier to calculate the economic value of the land, separate from the buildings situated on it. As residents can move at relatively little cost, they would avoid the risks of investing in land that they do not own. Furthermore, mobile homes tend to cost only a fraction of the costs of an ordinary house. As the land would be rent-free, this would enable people to acquire their homes at costs far below any ordinary home, free of fixed costs such as rent and mortgages. By making land freely available, it would effectively reduce the cost of a home to the production cost of the house. Consequently, it could provide increased economic security to those most marginalized, insuring people against the risk of homelessness. Finally, one of the main challenges for people wishing to reside in mobile homes is the difficulty of accessing land where they can park. Thus, there is an under-supplied demand for such land that the CLT could cater to, enabling rapid development of its land at very low overhead costs. As the community is increasingly established, it is likely to attract more capital, and thereby also larger and more permanent structures.

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<sup>153</sup> Notice, however, that such a surge could also have the effect of increasing the value of adjacent land, making a future expansion in the same area more costly.

#### VIII.2.4. Governing the Commons

In this section, I briefly discuss the internal organization of these CLTs. There are two important reasons to try to limit the discretion of these institutions. First, just like other landowners, these institutions cannot legitimately claim discretionary authority over an unproportioned share of land. Thus, they are justified on the condition that they act in accordance with independently existing moral obligations and, most importantly, the independently existing obligation not to deny people equal access to land. Thus, if they were to restrict access to the land, either by imposing demanding lease conditions or by keeping rents for their own benefit, they would thereby be illegitimately excluding people from their equal access to land. It is the fact that the CLT distributes its rental revenues as an equal dividend and that it seeks to expand the area of freely accessible land that makes it justified. If it were to digress from these practices, it would in effect be acting as another private landlord.

Secondly, the more discretion introduced into the decision-making procedures of these institutions, the more room there is for rent-seeking value capture. If a group of people acquired complete discretionary power over the funds and titles of the CLT, they could direct these funds to their friends and cronies. Similarly, if the CLT has a decision-making structure that can be manipulated, or which is vulnerable to significant collective action problems, this would create risks that control over the CLT could be captured by parties using it for their own gain. The fact that the CLT is a non-government organization does not make it immune to the public choice problems faced by state decision-making.

These types of problems could be illustrated by the empirical examples mentioned above. A comparative case study of Arden, Delaware, and Fairhope, Alabama shows an interesting pattern. Both colonies were founded by activists dedicated to geoist ideas. While there was some disagreement concerning how best to appreciate rents, the main conflict concerned what fraction of total rents should be collected. Early in their history, the colonies became fractionalized between residents advocating a “Single tax unlimited,” raising the full rental value of land for community expenses, and “Single tax limited,” which only wanted to raise sufficient rents to cover different local taxes and occasional community projects. The unlimited model was generally defended by the founders of the colonies and was expressed in the colony charter. However, in both cases, the “Single tax limited” approach prevailed, with the effect that only a few percentages of total rents were collected. The effect of this “Single tax limited” policy was to make these long-term leases much more akin to ordinary property titles to the land. Rather than making land freely available, these titles acquired a secondary rental value, selling for hundreds

of thousands of dollars,<sup>154</sup> thereby making these colonies much less distinct from ordinary towns. While Arden and Fairhope are both prosperous and vibrant communities compared to the surrounding area, they have by and large abandoned their original radical geoist principles (Harris 2004).

Several interesting lessons can be learned from these examples. First, even a small fraction of rents was able to easily cover different types of local taxes, vindicating the “Single tax” argument that rents could substitute other taxes. Secondly, if these projects are to become successful, it seems necessary to insist on them following a “Single tax unlimited” model. However, this might be easier said than done. Leaseholders are, of course, incentivized to minimize the costs of their leases. However, this creates an excessive demand for land, as these underpriced leases are quickly acquired, making it difficult for new entrants to secure a lease. Essentially, the Single tax limited model enables insiders to monopolize the land, at the expense of potential new entrants.

Thus, it seems to me that one of the most significant challenges to this political strategy is the risk of some form of regulatory capture of the CLT.<sup>155</sup> As shown in the example above, major leaseholders would have an incentive to reduce rent payments to negligible levels, effectively making these leases their private property. This would reintroduce landownership, since it would enable current leaseholders to acquire unproportioned shares of land without adequately compensating those excluded. Moreover, to the extent that CLTs focus their efforts on providing common goods, the process becomes vulnerable to rent-seeking and manipulation.<sup>156</sup> Similarly, there seems to be a significant conflict of interests between “insiders” residing within the CLT and receiving dividends, and “outsiders.” This becomes especially clear when we consider the fraction of rents devoted to purchasing more land. The larger this fraction, the less will be distributed as a dividend. Consequently, current insiders have an interest in keeping this fraction as low as possible. Similarly, insiders might have an interest in raising barriers of entry to the CLT, keeping their per capita share of land high by keeping the number of residents low.<sup>157</sup>

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<sup>154</sup> If the lease collected the full rental value of the area, the selling price of the lease should approximate zero. The fact that these leases acquired selling prices similar to ordinary property titles indicates that the rental collection was minimal.

<sup>155</sup> Unfortunately, these problems especially arise in projects aiming to create radically egalitarian or anarchist versions of these CLTs. However, if one is not concerned about these issues, it would be possible to just concentrate power into the hands of some executive body constraining the residents. Consequently, I do not believe that the issues discussed in this section undermine the argument presented in Chapter V, namely that this strategy would enable state-like concentrations of landownership.

<sup>156</sup> Notice that these issues with regulatory capture are not unique to geoist CLTs but would also arise within democratic geoist states. Hence, regardless of whether geoists pursue an electoral or prefigurative strategy, they still need to consider these issues.

<sup>157</sup> This issue is not unique to the CLT arrangement but rather seems to stem from a general conflict between implementing both a universal basic income or other generously available benefits, and free migration. While equal access to land provides strong moral reasons to defend

Thus, there would need to be some institutional checks on the CLT decision-making. One reason for favoring a type of auctioning process in determining rents and allocating lots is that the process would be open, not only to current insiders but also to current outsiders. Thus, if lots were undervalued, outsiders could bid them up to their actual competitive price and opt into the CLT. Simultaneously, no one would be able to complain that their rents were excessively high since they themselves had offered the price. Such a process would be both open and decentralized and would not have to rely on the discretionary authority of any authoritative decision-making body. Other types of institutional checks could include strong norms committing the community to geist principles and efforts to socialize new residents to these norms. For example, informal and formal norms could set the fraction to a specific rate, such as 25% of total rents, making it strictly taboo to deviate from this level.

Similarly, one reason for distributing rents on an equal per capita basis is that it makes the distribution of rents very transparent and less vulnerable to manipulation. While these CLTs ought to abstain from providing common goods directly, we could still imagine arrangements where these goods are provided indirectly. For example, it would enable a system where land may be leased by clubs and communes that provide such goods to their members. These clubs and communes, unlike the CLT, would not directly own land but only lease it. Consequently, they would not hold any land monopoly, enabling dissenters to opt out from club activities or start a new competing club if they found the currently available ones to be unappealing. This type of structure can be illustrated by how the Jewish National Fund, while not a communalist project, often leases land to kibbutzim that are. Thus, it serves as a good example of how community provision of public or common goods could occur within a framework of Direct Geoism.

In Chapter VII, I discuss several different challenges concerning the application of geo-anarchist theory and speculate on different ways to address them. While I will not repeat that discussion here, it is evident that the same questions arise for Direct Geoism as a transitional theory. Ultimately, it seems difficult to design these institutions in detail with much confidence a priori or to prepare plans for every possible challenge or contingency these projects could face. While we can theorize about their basic principles, they will also need to remain open-ended.

[D]etailed institutional “blueprints” [cannot] be devised in advance of the opportunity to create an alternative. What can be worked out are the core organizing principles of alternatives to existing institutions, the principles that would guide the pragmatic trial-and-error task of institution-building. Of course, there will be unintended consequences of various sorts, but these can be dealt with

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both these principles, they may still conflict as a matter of practical politics, as UBI recipients are incentivized to erect barriers of entry for new migrants (Zwolinski 2015b).

as they arrive “after the revolution.” The crucial point is that unintended consequences need not pose a fatal threat to the emancipatory projects themselves (Wright 2010, 7–8).

To the extent that the CLT would need some formal discretionary decision-making body, we can imagine a wide range of institutional arrangements, from direct participatory consensus processes to sortition, to Ostromite common pool resource governance (Ostrom 2015). Ultimately, it is difficult to *a priori* determine and weigh the strengths or weaknesses of these different institutional arrangements, and unfortunately, we do not have ample empirical examples of well-functioning, equal-share CLTs. Fortunately, however, one of the major advantages of the direct geoist strategy is that its small-scale piecemeal approach enables experimentation with different models. Thus, it facilitates a trial-and-error learning process, developing best practices that can be replicated and further refined by other experiments. Thus, even if we are unable to determine *a priori* the best design for these CLTs, we do have some way of acquiring that knowledge.

The basic argument of this chapter is consequently not that these institutions are guaranteed to succeed. Instead, it suggests, more moderately, that there is some probability that it may succeed. Due to the Crusonia plant-like design of the institutions and the immense positive effects if the strategy were to succeed, this uncertainty is compatible with a significant positive expected value from the strategy (cf. Cowen 2018, 85). Even if we only have a 10% chance of winning \$1,000 with a \$10 lottery ticket, the ticket’s expected value of \$100 vastly exceeds its price. In all likelihood, the issue is not whether these institutions would function perfectly or not at all, but rather to a better or worse degree. Thus, the argument does not presume that these institutions would be flawless, but that we have reasonable hope to design institutions that function better than existing alternatives, and that our focus ought to be on finding the best solution among the available options.

### VIII.3. Conclusion

In this chapter, I have discussed whether anarchist political strategies could be utilized to advance geoism. In particular, I have argued that geoists could implement their principles within Community Land Trusts, generating a universal basic income funded by land rents. This could both provide access to free land in the short run, while also steadily expanding these commons over time. Importantly, it would enable us to do so, even if the goal of ideal theoretic geo-anarchism would prove unfeasible.

One important feature of this strategy is that it is ideologically inclusive. While a party platform requires widespread ideological agreement on a wide range of policy issues, cooperation within direct action only requires that the



participants agree on this one action. Therefore, fortunately, the strategy is not premised on everyone contributing to the project being a committed geo-anarchist, anarchist, or geoist. On the contrary, it seems that the strategy could be appealing to a broad coalition of basic income advocates, anti-capitalist activists, effective altruists, etc. Even more generally, if the strategy effectively alleviates poverty and reduces economic inequality, it could appeal broadly to consequentialists and egalitarians alike. Consequently, while this thesis defends a very idiosyncratic ideological position, its practical implications could be appealing to a much more ecumenical coalition of different positions.

Interestingly, the strategy also seems perfectly compatible with the right-libertarian position on legitimate landownership. Indeed, if the CLT were to purchase the land from someone whom the right-libertarian would have deemed a legitimate owner, then it seems that the right-libertarian would be committed, by their own premises, to accept the legitimacy of these CLTs. Thus, the argument of this chapter largely mirrors the arguments made in section V.3.3., suggesting that right-libertarian anarchism is an unstable position since it could enable the concentration of land over time. This chapter explores how this feature of private landownership could be strategically utilized to establish a geoist distribution of land.

In the short-term, the most important implication of these institutions would be the demonstration effect. They would exist as a proof of concept and an embodiment of the ideas of geoism. Once these ideas and norms are made vivid, they can spread much faster than the institutions themselves. Hence, the early spread of these institutions is more likely to be due to imitation and replication, rather than the use of its rental incomes to purchase additional lots. With their demonstration effect, these institutions would also have a symbiotic relationship with more electoral strategies, as the spread of geoist ideas and norms would also be able to bolster a geoist electoral movement. In the long-term, the spread of these norms could challenge landownership more generally. If people adopt the norm that land is only legitimate on condition that its rental value has been shared equally with the community, this would also make people less prone to abide by the property titles of major absentee landlords, making these titles much more costly and difficult to enforce.

Ultimately, what the geoists call for is a moral revolution. Just as people came to recognize the moral injustice of property in other people, they must come to recognize the moral injustice of property in land (Tideman 2016). “Until there be correct thought, there cannot be right action; and when there is correct thought, right action *will* follow” (George 1898e, 242 emphasis in original).

Aside from this demonstration effect, these CLTs would also have direct economic effects by reducing the level of exploitation and marginalization. As titleholders of land would have to pay the full rental value of the site, this would reduce the selling price of these titles toward zero. Consequently, it

would remove any credit constraints for acquiring land, making it accessible not only to the wealthy with access to collateral and credit, but to everyone. Furthermore, by distributing these rental values equally, people would have a secured stream of unconditional basic income, enabling everyone to afford to pay the rents of an average site. Hence, it would effectively provide people with free land, and thereby directly provide people with the means of production and subsistence. Moreover, it would counteract those social pathologies that arise due to private landownership, such as speculation, artificial scarcities in land, depression of wages, systematic unemployment, and the threat of homelessness.

Having access to rent-free land would enable individuals to opt out of wage labor and engage in subsistence farming or other types of small-scale home-workshop production that does not rely on significant capital investments (cf. Carson 2010). Since the laborer would have access to their own labor, and to net rent-free land, individuals would have the means of production to self-employ independently of any employer or capitalist. This would provide some basic insurance against the risk of involuntary unemployment or exorbitant prices for basic necessities in the capitalist market. Simultaneously, it would also improve the bargaining power of laborers, who would acquire better exit opportunities from underpaid or degrading employment. After all, an unconditional basic income is also an unconditional basic strike fund.

Similarly, having access to rent-free land would reduce the cost of homeownership to the construction cost of houses. As discussed above, this would be particularly congenial to mobile homes, which often only cost a fraction of ordinary houses on the real estate market. Hence, it would enable individuals to find a home without being encumbered by mortgages and rental costs. Thereby, it would drastically reduce the cost of living, while simultaneously providing economic security against the risk of homelessness and destitution.

Aside from direct economic implications, this shift could also have secondary social and psychological effects. When individuals are economically dependent, they also become increasingly vulnerable and reliant on the goodwill of others. Thus, with increased economic security comes increased independence, counteracting interpersonal relationships of dominance and authority (cf. Anderson 2015). Hence, laborers would be less dependent on their bosses, and tenants less dependent on their landlords. Similarly, individuals would become less financially dependent on their partners or families. Just as economic security would enable laborers to leave abusive employment, it would similarly enable individuals to leave other forms of abusive relationships – what in Sweden has become known as *fuck-off capital* (cf. Fleischmann 2022).

By getting away from a situation of permanent economic vulnerability, individuals might also be increasingly freed from ‘the scarcity mindset.’ Due to artificial scarcity, people are always vulnerable to losing their employment.

Hence, even when they have enough today, they cannot be sure about tomorrow. Consequently, they come to see their fellow men as antagonistic competitors over zero-sum resources. As George argued:

And so in society, as at present constituted, men are greedy of wealth because the conditions of distribution are so unjust that instead of each being sure of enough, many are certain to be condemned to want. It is the “devil catch the hindmost” of present social adjustments that causes the race and scramble for wealth, in which all considerations of justice, mercy, religion, and sentiment are trampled under foot; in which men forget their own souls, and struggle to the very verge of the grave for what they cannot take beyond. But an equitable distribution of wealth, that would exempt all from the fear of want, would destroy the greed of wealth, just as in polite society the greed of food has been destroyed. (George 1898c, 462–63)

Freed from the threat of destitution, involuntary unemployment, and homelessness, laborers would not have to put up with degrading and underpaid labor. Instead, exit options would increase wages, while simultaneously enabling people to engage in intrinsically rewarding and non-alienating activities, such as creative self-expression, leisure, or philanthropic activism.

However, it seems that even if all land were to eventually become controlled by the CLT, this would not automatically remove the state apparatus. More generally, there might be several parallel structures of exploitation, such as intellectual property or burdensome regulations and licensing, which persist independent of landownership. Thus, while the strategy could mitigate and reduce the level of exploitation, it would not completely abolish it. Therefore, rather than thinking of the CLT as a unique or sufficient instrument for human liberation, we should think of it as one tool among many. It is only one institution within a broader ecosystem of counter-power, which might include counter-economic markets, radical unions, mutual aid groups, radical hackerspaces, etc. (Carson 2021).

Even if the equalization of rent is not a sufficient condition to end exploitation, it may be a necessary condition. This becomes evident when we consider the geoist argument that taxes and rents not only aggregate but also substitute for each other. Since taxes depress production, it also depresses the demand for land, thereby lowering rents. Thus, the higher the level of taxes, the lower the level of rent. Therefore, even if we were to eliminate other mechanisms of exploitation, for example, by reducing taxes on labor, the gains from this reform would not necessarily be acquired by the workers. If the geoist analysis of rents is correct, such reform would lead to a rise in local land values, thereby ending up in the pockets of landlords, rather than laborers (Gaffney 2009; George 1898c, bk. VI: I, 1898e, chap. XVIII). Indeed, as argued in Chapter V, even if anarchists were able to completely abolish current state institutions, this would not necessarily end exploitation, but rather shift

these gains from state institutions to landlords. One implication of this argument is that the abolition of landownership is a necessary condition to end exploitation.

This general point can be connected to the theory of dialectical libertarianism. While libertarians generally resist state intervention, dialectical libertarians emphasize how we must evaluate individual state interventions within their broader context. First-order state regulations tend to act as a form of “shackles,” contributing to capitalist exploitation, while some second-order state interventions serve as “crutches,” mitigating some of the worst effects of first-order regulations. Dialectical libertarians argue that we would not need second-order regulation if first-order regulations did not exist. However, they also argue that removing second-order regulations while leaving first-order regulations intact might end up generating a net increase in state exploitation. Thus, it would be crucial to break the shackles before removing the crutches (Carson 2011b; cf. Bissell, Sciabarra, and Younkins 2019; Sciabarra 2019). By converting private landownership into common land, we would remove one of the major shackles, potentially substituting it with non-state crutches. Thus, while CLTs may not directly remove states, they could have indirect effects that undermine state authority. To quote George:

“Seek first the kingdom of God and his righteousness [...] and all these things shall be added unto you.” The first step toward a natural and healthy organization of society is to secure to all men their natural, equal and unalienable rights in the material universe. To do this is not to do everything that may be necessary but it is to make all else easier. And unless we do this nothing else will avail. (George 1898e, 192)

Just as the transition from feudalism to capitalism was a gradual process lasting centuries, the transition toward a post-capitalist society will also be a gradual, intergenerational process. Similar to how the enclosure of the commons was a precondition for wage slavery, the opening of the commons is a precondition for true emancipation.

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