

The Property Registration Problem in the Anarcho-Capitalist Individualwealth

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Yup, you guessed it, the title of this essay parodies “The Economic Calculation Problem in the Socialist Commonwealth” by Ludwig von Mises. The following text doesn’t attempt to address that particular work, although a comprehensive debunking of the ECP by socialist economist Robin Cox can be found here.

Briefly though... Ancaps love to misconstrue that the calculation problem is somehow applicable to stateless socialism, even though Mises was quite explicit that it wasn’t:

But we have still not come to the crucial point. Exchange relations between production goods can only be established on the basis of private ownership of the means of production. When the “coal syndicate” provides the “iron syndicate” with coal, no price can be formed, except when both syndicates are the owners of the means of production employed in their business. This would not be socialization but workers’ capitalism and syndicalism.

oops... a bit awkward that

As you can see from the quote above, this point is somewhat obscured by Mises insistence on referring to libertarian socialism as “workers’ capitalism”.

But enough of that! Our essay will instead establish why stateless capitalism could never be economically viable, and how attempts to make it so would dispel any notion of it being ‘anarchist’.

Background

Capitalism depends on abstract property rights, those is where the owner is neither the occupier nor user of the property in question. This scenario is presently upheld via a system of land registration encapsulated in cadastral maps, which are legitimised by the state and underpinned by its monopoly on force.

In the absence of government, property rights simply default to mutual respect and the natural desire for social harmony. That scenario is termed “occupancy & use” or “possession property”, and is a fundamental tenet of anarchism. The rightful occupier/user is whomever is commonly recognised¹ to occupy, possess, or use the asset in question. The onus being on establishing this by peaceful means, and not laying claim to assets that are commonly recognised to be occupied or used by someone else. Disputes can then be settled by negotiation, entering into arbitration or seeking adjudication, rather than resorting to force.

Laissez-Faire Forms of Capitalism

The political theory known as minarchism proposes retaining a minimal state and its related security force primarily for the purpose of maintaining abstract property rights. Anarcho-capitalism (ancap) is an economic ideology that seeks eliminate the state and all the taxes associated with it, whilst somehow maintaining those same abstract property rights.

Abstractions such as absentee ownership would be straightforward... provided there’s an incumbent occupier or user such as a tenant, guard or other employee, who is under a contractual obligation not to assume ownership of the property in question.

¹ “commonly recognised” infers that property is not automatically deemed to be abandoned the instant an occupier/user is no longer present.]

Vacancy

Ancaps do however face another significant challenge to peacefully imposing their property norms. Issues would still arise where a property was left vacant or unused, since that might not be 'commonly recognised' as having a rightful occupier/user.

In the case of an absentee landlord, it may well be that neighbouring occupiers are not in fact cognisant of the status of the property in question. They might assume that it's been abandoned, may be unaware of the landlord's identity, unwilling to get involved, or simply not prepared to lend assistance to someone they do not experience any meaningful social interaction with.

The presence of buildings, for rent signs, or passive security measures such as fences and private property notices are not reliable indicators of occupancy in and of themselves, and may degrade, collapse or go missing due to erosion, natural ingress or vandalism.

The Property Registration Problem

It's hard to prevent people from peacefully establishing occupancy or use of vacant or unused property that someone else owns, unless there's a process for registering property that everyone agrees to abide by... since any solution to property registration depends on near universal support and adoption, otherwise the resultant registry is rendered devoid of legitimate authority.

Therefore in order for capitalists to peacefully uphold abstract property rights within a stateless society, they must:

1. Somehow enshrine abstract forms of property ownership as a positive right. Thereby imposing an obligation upon others to facilitate someone owning private property that he or she neither occupies nor uses. However, this begs the question as to why anticapitalists would voluntarily agree to support the universal adoption of capitalist property norms?

2. Oversee the society wide adoption of a decentralised registry. Although this is perfectly feasible from a technical standpoint, and could perhaps be implemented using blockchain technology, there's little or no prospect of mass adoption by anyone other than capitalists. To start with anticapitalists would see little benefit in registering ownership of any property that they're occupying or using. Furthermore, given that the vast majority of anticapitalists fundamentally reject abstract forms of property ownership (such as land-lording), it's reasonable to assume that most would choose not to validate the legitimacy of any such registry.

Clearly neither of those options are viable, given that both depend on the support and co-operation of significant numbers of people who are ideologically opposed to capitalist property norms. Furthermore, any attempt to forcibly impose a positive right to abstract forms of property ownership or mandate property registration, would surely bear out the longstanding criticism that anarcho-capitalism is more akin to neofeudalism than anarchism.

The obvious solution would be for ancaps to ditch the obsession with abstract forms of ownership and instead adopt occupancy & use. This could be on the basis that where a property is recognised as being occupied (even if said occupant is a tenant, guard, or employee) then no one else can peacefully establish occupancy of it without the prior consent of the recognised occupant.

It's therefore then worth examining what it is that motivates ancaps to insist on a positive right to abstract forms of property ownership, when surely all they need do is install tenants or hire guards?

The problem is that much of the planet's usable landmass is currently vacant but in private ownership. In the US some 59% of all land is in private ownership but with most of it not being occupied or used, a situation that is presently being upheld by the state. A vast army of tenants and/or guards would be needed to occupy that real estate, several orders of magnitude beyond those presently active in those respective markets.

Stats for the US

The tenant/guard solution would result in an unprecedented demand for both tenants and guards resulting in a chronic scarcity of both. Rental charges would plummet to the extent that landlords would be reduced to acting as social housing providers. It may even be that tenants could demand a wage, since they'd essentially be functioning as live-in security. And as for actual guards... well such high demand would push the market rate for those into the stratosphere. Capitalists would end up paying to hang onto property, rather than accumulating wealth from owning it, therein defeating their own economic objective. Ergo absenteeism simply isn't cost effective without tax funded cops to uphold it.

Perhaps it's no coincidence that capitalism evolved out of feudalism via mercantilism during the emergence of the nation state, since capitalism is dependent on the state to enforce the legitimacy of abstract property rights.

Even a blind monkey with a glass eye stuffed up its butt can see that stateless capitalism wouldn't be feasible if landlords had to pay tenants to occupy/use their property. It appears most ancaps are of course fully cognisant of this problem, because why else would they be so shrill and insistent about everyone adhering to their property norms? What might transpire should their demand that everyone adhere to Neolockean property norms be rejected?

Where an absentee landlord is unable to maintain their claim, then a reasonable view would be "well tough shit – that person is no longer entitled to that property".

Denial

Deontological ancaps for the most part tend to deny the reality of this situation; they shamelessly rationalise that the act of peacefully occupying or using property that clearly isn't occupied or in use... may somehow constitutes aggression.

They then justify the use of force to retake said property as an act of self-defence by the absentee landlord. Hence the weird obsession that they have with the Non-Aggression Principle (NAP). This standpoint is somewhat disingenuous to say the least, since any legitimate defence of property would surely never start out as initiating an assault upon it, and would instead be deemed a violation of the NAP.

Consequences

Consequentialist ancaps on the other hand glibly suggest that the solution is actually to booby trap absentee property with sentry guns, landmines,, poison gas, incendiary devices, Semtex... you name it!

Trespassers? No problem they'd either be shot to pieces or reduced to smithereens! Tenants refusing to pay their rent? Just release the poison gas! Strikers equipped with gas masks occupying their workplace? Either incinerate them, or failing that just blow up the whole damn building!

Conclusion

Abstract ownership on a large scale would be rendered economically non-viable in a stateless society. We're then left with the disturbing scenario, whereby if capitalists were unable to peacefully impose their property norms, then they'd instead aim to replace the nation state with a dystopian hellscape.

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