

Immigration Once Again: The Anarchist Case for Open Borders

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Here is the scenario: we libertarian anarcho-capitalists finally have our druthers.¹ The entire country is now run under this system.² Needless to say, but we will say it anyway, every square inch of land and water is now under private ownership (Block, 2019). There is simply no government in existence anywhere in the land. The roads, streets and highways, of course, are owned, managed and controlled by private entrepreneurs (Block, 2009), as are all bodies of water, rivers, lakes, etc. (Block and Lothian Nelson, 2015).

The proper anarcho-capitalist libertarian perspective on immigration is open borders.³ But how are we going to have borders under this system? Simple, all the private defense agencies⁴ contract with each other not to allow entry into the “country”⁵ unless under specific invitation from a “citizen.”⁶

¹ My writing of this paper was inspired by a conversation I had with Paul Geddes, Milton Kiang and Michael Sporer. I thank them for this. Of course, all errors and infelicities are my sole responsibility.

² Anderson and Hill, 1979; Benson, 1989, 1990; Block, 2007; Hasnas, 1995; Hoppe, 2008; Rothbard, 1973, 1977, 1998; Stringham, 2007; Tannehill, 1984. Avers Rothbard: “For centuries, the State (or more strictly, individuals acting in their roles as ‘members of the government’) has cloaked its criminal activity in high-sounding rhetoric. For centuries the State has committed mass murder and called it ‘war’; then ennobled the mass slaughter that ‘war’ involves. For centuries the State has enslaved people into its armed battalions and called it ‘conscription’ in the ‘national service.’ For centuries the State has robbed people at bayonet point and called it ‘taxation.’ In fact, if you wish to know how libertarians regard the State and any of its acts, simply think of the State as a criminal band, and all of the libertarian attitudes will logically fall into place.”

³ Babka, 2016; Berg, 2010; Block, 1998, 2004, 2011A, 2011B, 2013, 2016; Block and Callahan, 2003; Boudreaux, 2002, 2013; Caplan 2012, 2013, 2014; Ebeling, 2015A, 2015B; Ebeling and Hornberger, 2015; Esplugas and Lora, 2010; Fisher, 2010; Friedman, 1973, 2006, 2012; Gregory and Block, 2007; Henderson, 2012; Hornberger, 2014, 2015; Hudson, 1986; Huemer, 2012; Krepelka, 2010; Lee, 2015A, 2015B; Niskanen, 2006; Nowrasteh, 2012, 2015; Richman, 2016; Salin, 2000, chap. 11; Schooland, 2002A, 2002B; Shikha, 2014; Simon, 1989, 1998; Somin, 2014A, 2014B; Todea, 2010; Wellman, 2011; Wilkinson, 2008, 2010.

⁴ Gregory, 2011; Guillory, & Tinsley. 2009; Hoppe, 2011; Huebert, 2010; Murphy, 2005; Rothbard, 1973, 1975, 1998 [1982]; Stringham, 2007; Tannehill[1970] 1984; Tinsley, 1998-1999; Wiśniewski, 2014

⁵ This consists of the entire nation under consideration.

⁶ A client of one of the defense agencies. We assume for simplicity that all adults are members.

Now, suppose that someone invites an immigrant from Mars.⁷ How can we all be sure that he is not a murderer or a rapist, who will prey upon the rest of us? There are several safeguards. The first is that the inviter pledges that he will be responsible for any Martian misbehavior.

But there is a strong objection to this. Right now, under our present government system, if A hires B, or A rents an apartment to B, or if A invites B to be his house guest for a week or so, and then B goes out and commits a crime, it is difficult to maintain that A is thereby responsible for this rights violation. *Respondeat superior* only goes so far. Yes, if A hires B to drive a truck for him, and B crashes into C's property, then A is at least partially responsible for damage to the latter.

However, we are now not living under the present system. In the scenario we are discussing, all of us are anarcho-capitalists, except for the Martian. The defense agencies, we presume, will contract one another so as to hold the host responsible for any Martian criminal behavior.

Here is yet another objection to the foregoing. Most people think that babies emanate from sexual intercourse. Wrong! This is a medieval and fallacious understanding.⁸ The fact of the matter is that the Stork brings babies to the hospital, or any place of birth for the parents to receive.⁹ But from whence does the Stork pick up the baby? As should now be clear, it is from the country called Storkovia! In other words, all babies, too, not only our Martian, are immigrants to our anarcho-capitalist country. So, if we can subject inviters of Martians to strict scrutiny, impose upon them responsibility for Martian wrongdoings, we are obligated to do so for newborns as well if we want to achieve logical consistency.

How can we refute this objection? There are several ways. One, even under our present woebegone system, in many jurisdictions parents are indeed held responsible for their children, at least up to a certain age.¹⁰ When they are adults, all such obligation ceases. Two, the Martian is by stipulation, an adult. Three, new babies¹¹ are simply incapable of murdering, raping, etc. This does not at all apply to our friend, the adult Martian. So, the analogy does not hold.

But there is a second line of defense. Assume now that the Martian is safely ensconced in the home of his mentor. He now wants to go to the mall. He will now have to enter upon the street. Not so fast. It is not a "public" thoroughfare. In our libertarian system, it is privately owned. The manager of this capital good will have to give permission for the Martian to enter.

Again, a similar objection arises. According to the foregoing, the manager of the road enables the Martian who avails himself of this service to do his evil deeds should be held liable. After all, the Martian could not do any such thing were he not able to depart from the host's home.

But under our present system the road owner, the government, is not responsible for the law breaking of those who use these facilities.¹² This would be true, even if there were an exception made for a single road that were privatized, at present. The owner could hardly be held responsible for crimes committed by users. Further, no crimes could be committed did the perpetrator not have available to him breakfast, shoes, a car, etc. We can hardly hold responsible the suppliers of such goods for the malfeasance of our Martian.¹³

⁷ We make this choice so as to avoid invidious descriptions of any earthly locale.

⁸ People who believe this maintain the truth of the phlogiston theory, deny the germ theory of disease, think that the earth is flat and that the Sun revolves around it.

⁹ If this boid (as we say in Brooklyn) carries the baby in a blue blanket, it is a boy; if a pink blanket, it is a girl. All educated people full well know this.

¹⁰ Arthur, 2005; Petrigh, 2024 Roy, 2001; White, Augoustinos & Taplin, 2007.

¹¹ Except when they cry on airplanes.

¹² In the view of anarcho-capitalists, all problems, without exception, emanate from the state: bad weather, aging, bad breath, when there is a fungus among us, etc. But this one is a bit of a stretch, even for us.

¹³ In actual point of fact, there are attempts to legally vilify the manufacturer of guns for crimes committed with them. Munoz, 2012; Cawthone, 1998; Altimari and Kauffman, 2016; Chappell, 2019. Happily, at least so far, no such occurrences have taken place with regard to knives, high heeled shoes, hockey sticks or baseball bats, even though these, too, have been used for ill purposes.

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However, this objection reckons on the absence of the “magic of the marketplace” (Perry, 2013). It takes no stretch of the imagination to contemplate that the private defense agencies could contract with one another that all bets are off when it comes only to the Martian, and his confreres.

There is one other objection that must be met. Not only do we rightly fear the incursion of murderers and rapists, etc., but there is also the problem of overpopulation.¹⁴ Consider, now, the Venusians.¹⁵ They are all as pure as the driven snow? Crime? There is not even a word in their language to depict such a despicable act. The problem they present? There are just too many of them. To wit, they number a full zillion.¹⁶ If they all came here¹⁷ the earth would become so heavy it would fall out of the sky.¹⁸ We just cannot have it.¹⁹ Yes, Jones, here, heretofore a splendid citizen, with vast land holdings all over the place,²⁰ wishes to commit suicide and wants to take the rest of us with him by overloading the planet with Venusians. How to preclude such a disaster? Simple, in the same way as before: responsibility of the inviter. Only here we would get the equivalent of an injunction. For any such move on the part of Jones would be a threat, a clear and present danger.

We must contrast this with the views of other anarcho-capitalist libertarians who do not support open borders, and safety via full private ownership and host responsibility. Rather, they are willing to jettison libertarian principles to attain the safety of the sort we have been discussing.²¹ Stated Ben Franklin in this regard: “Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.”²²

This, however, leads to yet a further objection. The anarcho-capitalist solution we have been pursuing in the present paper sounds all too similar to that articulated by the scholars we are now criticizing. Both wish to allow, in effect, only limited immigration; both wish to exclude excessive numbers, and in particular, criminal undesirables; where is the difference?

The divergence consists of the fact that we are trying to address this problem without government involvement. They, in sharp contrast, are attempting to eat their cake and have it too. They do not admit that in this case they are speaking not as anarcho-capitalists, but, rather, as limited government libertarians or classical liberals.²³

So, yes, of course, the merest of common sense indicates that any civilized society must have some means of ensuring its safety, whether by criminals or by being overrun and inundated by masses of people. The point we are making here is that the government is not necessary to achieve these ends; it can be accomplished entirely through free enterprise and the marketplace. If economic freedom,

¹⁴ For the case that this is not a present problem, see Bauer, 1981; Boudreaux, 2008; Friedman, 1972, 1977; Robbins, 1928, 1966; Rothbard, 2011; Simon, 1981, 1990, 1996; Sowell, 1983; Williams, 1999; Wittman, 2000. According to Sowell (1983): “Every human being on the face of the Earth could be housed in the state of Texas in one-story, single-family homes, each with a front and a back yard. A family of four would thus have 6,800 square feet- about the size of the typical middle-class American home with front and backyards.”

¹⁵ They emanate from the planet Venus, for the non-initiated in extra-planetary populations.

¹⁶ That is a very large number.

¹⁷ They are big into tourism.

¹⁸ It's turtles all the way down.

¹⁹ Don't bother us with the objection that if they weigh so much, how come Venus is still a going concern. Hey, we can always move them all to Jupiter, but when they get there they will become bad mothers, just like the extant Jupiterian population, and we've already had enough of that with our Martian.

²⁰ He owns the entire Sahara desert, Siberia and most of Alaska.

²¹ Who are the libertarians who engage in this error? They include: Brimelow, 1995; Hoppe, 1998, 2001, 2002, 2006; Hospers, 1998; Kinsella, 2005; Machan, 1998; Rothbard, 1994; Simon, 1998; de Soto, 1998; Taylor, 1998.

²² <https://www.npr.org/2015/03/02/390245038/ben-franklins-famous-liberty-safety-quote-lost-its-context-in-21st-century>

²³ There is nothing untoward, about an-caps, upon occasion, adopting a classical liberal hat. One such example is Block and Futerman (2021).

justice and liberty are to be attained, that is the only way this protection can be implemented.

Let me try again on this point. There is a world of difference between open borders, an-cap style, and borders regulated by a government. The former is part of the market, of the free enterprise system, the latter is not. Under the present system, there are all sorts of personal tragedies; families split apart. One spouse here, the other there. Young children kept apart from their parents, and from their siblings. None of this could possibly occur under the legal arrangements urged in the present paper. The hosts in the domestic country would give their eye teeth to sponsor such loved ones from abroad.

An intermediate situation, which, conceivably could be ineptly as usual administered by a government would be to sell immigration permits to the highest bidders. There are two versions of this policy. A more moderate one is to place immigrants higher on the legal list for entry if they can provide investment funds, or are able to employ domestic workers.²⁴ An even more radical version of this initiative is to have an actual bidding war between would-be immigrants, and accept into the treasury the funds supplied by those who are willing to pay the most (Becker, 2005). This could help with family reunification, albeit only for the rich.²⁵ The difficulty is that there are wealthy murderers and rapists out there, and this system would offer no way of obviating that flaw.

Let us now apply this analysis in the context of the entire world. At present, although there are no areas of the earth's surface that are not under the control of one government or another,²⁶ the situation between them all is one of anarchy. That is, there is no world government.²⁷ Thus, the relation between Angola and Argentina is one of anarchism; no superior entity rules over the both of them. Ditto for Brazil and Burundi, Canada and Cuba, and so on down the alphabetical line. But this is not exactly anarcho-capitalism either, where courts and connected defense agencies have an overwhelming incentive to cooperate with one another. Suppose, then, that the xyz country on the third rock from the sun engages in something entirely untoward. Perhaps liaises with the enemy species from Neptune, in an attempt to take over the entire world. How, under this presently prevailing type of statist-anarchism?²⁸ It would be simple. Pretty much every other country would pile on against xyz, and then, hopefully in concert, deal with the invading Neptunians.

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²⁴ Many countries have such policies.

²⁵ This is not a flaw in the system; it is one of its virtues. If money cannot be spent on vital purchases such as this, there is less incentive to earn it in the first place. Without that, a lynchpin of prosperity is gone.

²⁶ Apart of course from the oceans.

²⁷ Some politicians wish that the United Nations organization would take up that role, but this, thankfully, has not yet come to pass.

²⁸ This is not a contradiction in terms. There is statism within each country, and anarchism between them all. How else are we to characterize it?

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